

**CITY COMMISSION
AGENDA
REGULAR MEETING
MARCH 20, 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, MARCH 20, 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.

1) **Call Meeting to Order**

- a) Invocation - Mayor Pro-Tem Rene Perez
- b) Pledge of Allegiance
- c) Welcome Citizens

2) **Conflict of Interest:**

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

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

- a) Mayor's Announcements
- b) City Manager's Announcements
- c) City Commission Member Announcements

4) **Presentation of Awards:**

- a) Mayor's Business of the Month - Café 406

5) **Citizen Communication:** *At this time, the public is invited to address the City Commission and speak on any matter not specifically listed for public hearing elsewhere in this agenda. Please note that the City Commission members may not respond to comments or deliberate on topics addressed.*

6) **Approval of Minutes:**

- a) Special Meeting of February 29, 2024
- b) Special Meeting of March 4, 2024

7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*

- a) Consideration and possible action to approve a resolution accepting the Federal Aviation Administration (FAA) anticipated Grant Offer No. 3-48-0101-075-2024, in the amount of Four Million, Five Hundred Thousand Dollars and no/100's (\$4,500,000.00) for the Air Traffic Control Tower Project, Valley International Airport. Attachment **(Airport)**
- b) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 407 West Harrison Avenue, bearing a legal description of Lots 8-9, Block 84, Harlingen Original Townsite Subdivision. Applicant: Janie Zamora. Attachment **(Planning & Development)**
- c) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application, accept related award and expend said funding of \$65,000.00 to the Office of the Governor – Homeland Security Grants Division FY 24 Local Border Security Grants Program (LBSP) to fund overtime costs and operating expenses to the City of

Harlingen for additional manpower to enhance and improve border security. Attachment **(Police)**

- d) Consideration and possible action to approve a resolution authorizing the City Manager to accept a grant-related award and expend said funding of \$183,860.00 from the Office of the Governor – Homeland Security Grants Division, FY 23 Operation Stonegarden. Attachment **(Police)**
- e) Consideration and possible action to approve a request from S.K. Edgar Martinez, Grand Knight, Council #2785 with the Knights of Columbus to close the following streets for the Knights of Columbus Association's 3rd Annual RGV BBQ Cookoff Event, Friday, May 3, 2024, and Saturday, May 4, 2024 from 12:00 p.m. thru 11:00 p.m.. Attachment **(Police)**

Southside Intersection of 17th Street and East Van Buren Avenue
Alleyway in the 200 Block of South 17th Street
Northside Intersection of 17th Street and East Harrison Avenue

- f) Consideration and possible action authorizing the City Manager to enter into an agreement between the City of Harlingen and the Lower Rio Grande Valley Development Council's Valley Metro. Attachment **(City Manager)**.
- g) Consideration and possible action to approve the installation of speed humps at the following locations: **(This item was requested by Commissioner Daniel N. Lopez and Commissioner Frank Morales)**

- 1. Little Creek Street
- 2. 800 Block of West Buchanan
- 3. Adams Street
- 4. "P", "Q", and "R" Streets
- 5. North Altas Palmas Road from the Expressway to Gann Street
- 6. Along Lake Shore Drive between East of Lake Shore Drive to Prosperity Drive

- h) Consideration and possible action to approve a request from the Immaculate Heart of Mary Catholic Church to close the following streets, Friday, April 12, thru Sunday, April 14, 2024 from 12:00 noon to 11:59 for their Annual Spring Fiesta. Attachment **(Police)**

Southside Intersection of Tyler Avenue and "C" Street;
Alleyway in the 400 Block of "C" Street; and,
Northside Intersection of Polk Street and "C" Street.

- 8) **Staff Reports and Other Discussion Items:** *Items in this section are not expected to require action by the City Commission and are generally for information only. However, any item listed in this section may become an action item with the request of the Mayor, or after the request of any two Commission members, or the City Manager.*

- a) City Manager's Report
- b) Staff Report - Health Department - Discussion of two (2) programs to implement at the City of Harlingen Animal Shelter Facility.
- c) South Texas Emergency Care Foundation, Inc. Quarterly Reports

- 9) **Public Hearings:** *At this time, the Mayor will invite members of the public who have filled out the Public Hearing and the Citizen Communication Form to address each item listed in this section. Please limit your comments to the topic of that public hearing. If more than one public hearing is being held, you will be allowed to speak during each topic, provided you have filled out the Public Hearing and Citizen Communication Form for the appropriate topic. If you are signed up for two (2) or more Public Hearings, you will be limited to 5 minutes for all topics.*
- a) Public hearing for a rezoning request from Residential, Duplex ("R-2") District to Residential, Multi-Family ("M-2") District for a 0.572-acre tract, being all of Lot 6 and 0.113 acres out of Lot 7, West Subdivision, located at 1605 N. 7th Street. Applicant: Mario and Norma Linan **(Planning & Development)**
 - b) Public hearing for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 301 West Filmore Avenue, bearing a legal description of Lot 6, Block 130, Harlingen Original Townsite. Applicant: Juan Ramon Attachment **(Planning & Development)**
 - c) Public hearing for a rezoning request from Residential, Single Family ("R-1") to Residential, Duplex ("R-2") District for Lots 136 and 137, Block 2, Avondale Subdivision, located at 2113 and 2115 Barcelona Avenue. Applicant: Homero D. Guerra. Attachment **(Planning & Development)**
 - d) Public hearing for the voluntary annexation of an 18.788-acre tract of land out of Block 33, David and Stephenson Subdivision, located along the east side of Crossett Road approximately 3,260 feet north of Loop 499. Applicant: River Creek Management, LLC. Attachment **(Planning & Development)**
 - e) Public Hearing amending the City of Harlingen Code of Ordinances Chapter 111, Article XIII, Section 111-62, Use Chart, by establishing the boundaries of the major commercial corridors, and prohibiting the car wash use in the said major corridors due to safety. Applicant: City of Harlingen. **(Planning & Development).**
- 10) **Action Items:** *City Commission will discuss, consider, and take any action deemed necessary on items listed in this section, including the adoption of a minute order, a resolution or an ordinance*
- a) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Duplex ("R-2") District to Residential, Multi-Family ("M-2") District for a 0.572-acre tract, being all of Lot 6 and 0.113 acres out of Lot 7, West Subdivision, located at 1605 N. 7th Street. Applicant: Mario and Norma Linan. Attachment **(Planning & Development)**
 - b) Consideration and possible action 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 301 West Filmore Avenue, bearing a legal description of Lot 6, Block 130, Harlingen Original Townsite. Applicant: Juan Ramon. Attachment **(Planning & Development)**
 - c) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Single Family ("R-1") to Residential, Duplex ("R-2") District for Lots 136 and 137, Block 2, Avondale Subdivision, located at 2113 and 2115 Barcelona Avenue. Applicant: Homero D. Guerra. Attachment **(Planning & Development)**
 - d) Consideration and possible action to adopt an ordinance on second and final reading for the voluntary annexation of an 18.788-acre tract of land out of Block 33, David and Stephenson Subdivision, located along the east side of Crossett Road approximately 3,260 feet north of Loop 499. Applicant: River Creek Management, LLC. Attachment **(Planning & Development)**

- e) Consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 111, Article XIII, Section 111-62, Use Chart, by establishing the boundaries of the major commercial corridors, and prohibiting the car wash use in the said major corridors due to safety. Applicant: City of Harlingen. Attachment **(Planning & Development)** **(This item was tabled during the Meeting of March 6, 2024)**
- f) Consideration and possible action to approve the preliminary construction plans and final plat with conditions of the proposed East Treasure Haven Phase II Subdivision, located at the northeast corner of Haine Drive and Whalen Road, being 25.33 acres comprised of 10.0 acres out of Lot 9, 9.99 acres out of Lot 10, 2.67 acres out of Lot 15, and 2.57 acres out of Lot 16, Block 146, San Benito Land and Water Company Subdivision. Applicant: Scheibe Consulting. Attachment **(Planning & Development)**
- g) Consideration and possible action to authorize the closing, vacating, transferring, and abandonment of a 0.05 acre tract of land located between Lot 27, Block 2, L&L Subdivision and Lot D, Southwest Harlingen Addition, located on the west side of "K" Street approximately 48 feet north of Filmore Avenue, and authorizing the City Manager to execute all documents for the conveyance and release of alley right-of-way and convey to James DeLeon. Applicant: James DeLeon Attachment **(Planning & Development)**
- h) Consideration and possible action to approve an ordinance on first reading amending Chapter 38 (Solid Waste), Master Fee Schedule of the Harlingen Code of Ordinances, establishing fees for commercial trash containers, provided by the City of Harlingen as they relate to Chapter 38-69. Attachment **(Public Works)** **(This item was tabled during the Meeting of March 6, 2024).**
- i) Consideration and possible action to approve an ordinance on first reading amending Chapter 18, Master Fee schedule of the Harlingen Code of Ordinances, adding the microchip fee for domestic dogs and cats to the services already provided by the City of Harlingen, related to Chapter 6 Animals. Attachment **(Health Dept)**
- j) Consideration and possible action to authorize the City Manager to purchase software for the Animal Shelter to be able to enter the animal's data during intakes, update and gather information from microchips and create reports as needed. Attachment **(Health Dept)**
- k) Consideration and possible action to approve the Animal Rescue Organization Application and the Harlingen Animal Shelter Foster Agreement, which will assist in finding homes for animals at the shelter. Attachment **(Health)**
- l) Consideration and possible action to approve an ordinance on first reading amending the Harlingen Code of Ordinances, No. 08-14, Section II (A), Penalty Fee for false alarms. Attachment **(Police)**
- m) Consideration and possible action to approve a request from Remi Garza, Elections Administrator of Cameron County, to use the Harlingen Cultural Arts Center, 575 "76" Drive., as an early voting site for the May 4, 2024, General and Special Elections on the dates and times listed below. Attachment **(Public Works)**

Monday, April 22nd thru Friday, April 26th	9:00 a.m. to 7:00 p.m.
Saturday, April 27th	10:00 a.m. to 5:00 p.m.
Monday, April 29th thru Tuesday, April 30th	9:00 a.m. to 7:00 p.m.

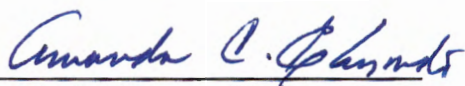
- n) Consideration and possible action to approve a resolution of the City of Harlingen suspending the April 4, 2024 effective date of AEP Texas Inc.'s requested rate change to permit the City time to study the request and to establish reasonable rates approving cooperation with the Cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change proceedings before the commission (PUC); hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel. Attachment (**City Manager**)
 - o) Consideration and possible action to re-schedule the City Commission Meeting of April 3, 2024, to a future date. (**City Manager**)
 - p) Consideration and possible action authorizing City Manager to purchase a canopy, a table, and chairs for the Veterans Advisory Board to be used during Market Days Events. (**This Item was requested by Commissioner Frank Morales and Mayor Pro - Tem Rene Perez**)
 - q) Discussion on water and sewer rate discounts for Harlingen Affordable Housing Customers. PowerPoint (**Mayor**)
 - r) Discussion and first reading of ordinance amending Harlingen City Code, Article VII, Boards Commissions and authorities. Attachment (**Legal**)
 - s) Discussion and possible action to approve a resolution authorizing city staff to proceed with the filing of Articles of Incorporation of a Non-Profit Animal Welfare Corporation to support the Harlingen Animal Shelter. Attachment (**City Attorney**)
- 11) **Board Appointments:**
Specifically, appointment or discussion and possible action to include appointment and/or removal of any position subject to appointment or removal by statute, ordinance, or bylaws.
- Airport
Animal Shelter Advisory Committee (2)
Audit Committee (Terms expire in June)
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 (1)
Golf Course Advisory Board
Harlingen Community Improvement Board
Harlingen Housing Authority Board
Harlingen Finance Corporation (6)
Harlingen Teen and Young Adult Advisory Board (2)
Healthy Harlingen Advisory Board
Keep Harlingen Beautiful Board (4)
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Small Business Committee
Tax Increment Finance Board (1)

Utility Board of Trustees
Veterans Advisory Board
Zoning Board of Adjustment (2)

- 12) **Executive Session:** *All items listed in this section will be deliberated in a closed session. Members of the public are not generally permitted to attend a closed session. Executive Session items may be considered as an action item at the discretion of the Mayor. However, City Commission will not take any action in closed session.*
- a) Consultation with City Attorney pursuant to Texas Government Code 551.071 (1) and (2) attorney consultation; Section 551.072 regarding Bass Pro Shop. **(City Attorney)**
- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*
- a) Consideration and possible action regarding Item # 12 (a) as discussed in executive session. **(City Manager)**
- 14) **Adjournment:**

I, the undersigned authority, do hereby certify that the above Notice of the Regular Meeting of the Harlingen City Commission is a true and correct copy of said notice posted on the bulletin board at City Hall of said City of Harlingen, Texas in a place convenient and readily accessible to the general public at all times and on the City's Internet Website and said Notice was posted on **FRIDAY, MARCH 15, 2024** at or before 4:00 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 15th day of MARCH, 2024


Amanda C. Elizondo, City Secretary

6/2)

SPECIAL MEETING

CITY COMMISSION

HARLINGEN, TEXAS

A Special Meeting of the Harlingen City Commission was held February 29, 2024, at 5:30 p.m., at the Harlingen Arts and Heritage Museum, 2425 Boxwood Street, 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 Pro-Tem Rene Perez – District 5
Ford Kinsley Commissioner District 1
Daniel N. Lopez, Commissioner District 2
Michael Mezmar, Commissioner District 3
Frank Morales, Commissioner District 4

ABSENT

Mayor Norma Sepulveda

City Staff

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

Call Meeting to Order

Mayor Pro-Tem Rene Perez called the meeting to order, announced that a quorum was established, and stated that the meeting was duly posted according to state law. The following proceedings were held:

Invocation – Commissioner Daniel N. Lopez

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 this time?"

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 - None

1. Discussion on recommendations to amend the Harlingen City Charter.

Mr. Gabriel Gonzalez, City Manager, stated that in the last 23 years, the Charter has been amended twice. The most recent was May 2022. Three propositions were placed on the ballot, and all three amendments were passed. He explained how the Charter was composed and requested

direction from the City Commission regarding how they wished for staff to proceed. He suggested looking at every article of the Charter, not necessarily in a meeting setting, but doing it in their own time as to what they would like to change within the article. Bring the individual changes before the city commission to consider the pros and cons of the proposed amendments. Proposed amendments will require official action by the commission and will be done through an ordinance.

There are some articles that the city commission does not need to review because they are assigned to the City Attorney for his review. The staff will review the remaining articles and provide notes for the proposed amendments and send them to the commission for their review. The governing body will look at the entire Charter, provide possible amendments, and eventually vote on the proposed propositions to place on the ballot for the November Election. This process must be completed 90 days (by August 1) before the election.

Commissioner Kinsley asked where the Charter Review Committee fits in. Many months ago, we were tasked with submitting a person's name to serve on this committee.

Mr. Gonzalez stated that the Charter Review Committee has seven spots; only three have been filled. We need more members to review it. Three members do not constitute a quorum.

Mayor Pro-Tem Perez stated that we (the commission) should be the ones to make any changes to the Charter instead of a review committee.

Commissioner Morales stated that the Mayor wanted this committee. If more individuals reviewed the Charter, the commission would get better input on what needs to be changed.

It was noted that when the Charter was revised in 2022, there was no committee to assist in making any changes to it. If notes are to be considered, they can be shared with the commission. If not, the city commission will meet in March to discuss changes to the Charter.

Commissioner Lopez referred to Article 3, Section 3, of the City Charter on whether the term length of three years be amended to be either two years or four years.

The 2024 Elections for three city commissioners will be during a presidential election, and the rest of the commissioners and Mayor will be in 2025. Does the city commission wish to change the election to coincide with the presidential or governor's election, which will have a higher voter turnout? We need everyone to submit their notes/comments for discussion to meet the deadline before the November Election.

Mr. Gonzalez recommended that the city commission review the Charter, submit any notes or revisions, and provide some direction for any changes that will be compiled and discussed at the next meeting. The goal is to have an ordinance that will codify all the suggested changes.

Mayor Pro-Tem Perez stated in Article 4, Section 1, - The City Commission shall meet at such time as it may be prescribed by ordinance or resolution at least once a month. We need to add to the Charter to have regular city commission meetings after 5:00 p.m. - the special meetings will be an exception.

Mr. Gonzalez stated he would ask the City Secretary's Office to schedule a meeting to adopt an ordinance codifying all the recommendations for presentation to the voters and send any comments to him by Friday.

2) Consideration and possible action on recommendations to amend the Harlingen City Charter.

No action was taken on Item No. 2.

3) Adjournment

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

City of Harlingen

ATTEST:

Rene Perez, Mayor Pro-Tem

Amanda C. Elizondo, City Secretary

SPECIAL MEETING

CITY COMMISSION

HARLINGEN, TEXAS

A Special Meeting of the Harlingen City Commission was held March 4, 2024, at 5:30 p.m., at City Hall, Town Hall Meeting Room, 2nd Floor, 118 E. Tyler, Harlingen, Texas, and providing the public the ability to view the meeting via Internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.myharlingen.us Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda – *Via Zoom
Mayor Pro-Tem Rene Perez, District 5
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 Pro-Tem Perez 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

Pledge of Allegiance/Welcome

Conflict of Interest

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

- Ron Lozano – Gov't Code 551.007

1) Discussion on recommendations regarding terms and conditions of Sports League Contracts.

- a) Harlingen United Futbol Club – Art Aparicio
- b) South Texas Little League – Bobby Davidson
- c) Harlingen National Bronco Baseball and Softball – Jerry Hernandez
- d) Harlingen Texas Bronco League – Victor Zepeda
- e) H.N.Y.L. (Harlingen National Youth Football League) – Jerry Hernandez
- f) Harlingen Adult Soccer League – Anita Quinones
- g) Rio Valley Amateur Soccer – Erasmo Montelongo
- h) Harlingen Cardinal Youth Sports- Abel Castaneda
- i) Harlingen Wolfpack – T.Y.F.A. – David Gonzalez

Javier Mendez, Parks and Recreation Director, stated in October 2023 these contracts were presented to the city commission for their consideration and to the Parks Advisory Board and some recommendations were made. Those recommendations were provided to the city commission. The staff has received complaints regarding individuals "taking over the entire park." The contracts specify that the use of fields is for the sports, and the open green spaces are available to the public on a first-come basis. Registration fee of \$10 is to maintain the complexes. The city will square and mark the fields at the beginning of the season, and moving forward, the league will oversee this to allow staff to concentrate on the maintenance of the parks. The only exception is T.Y.F.A. – Harlingen Wolfpack because they use the (multi-purpose) Sports Complex Field for practice. They do the striping and turn on the lights.

Commissioner Morales stated he witnessed a youth football game, and the area that was being used had no fencing. These parks must be secured, especially during fertilization/rest.

Discussion was held on the following issues.

- The one-dollar registration fee for the year.
- All contracts are the same.
- Resting of the fields for maintenance.
 - Add fields as a requirement for the contracts.
 - Establish a 90-day resting period for the fields according to the teams' schedules and whether the rest period will be continuous or if needed.
 - Establishing the period when all fields will be fertilized and watered. (Jan – March)
- Fields used by the public causes an issue with the leagues, and warrants calling the Police Department if there is non-compliance by the public.
- Timelines when the leagues use the fields and the need to schedule rest periods.
- Equipment and manpower are necessary to repair and maintain the fields.
- There is a real need for more fields to accommodate the growing number of teams and kids participating in the various leagues.
 - Vestal Park needs a new concession stand; Victor Park received funds to build a concession stand.
 - Vestal Park could have more parking if the fencing was placed further out, and more fencing would be needed to secure the fields completely.

Art Aparicio, with the Harlingen United Futbol Club, stated that soccer has 680 players (80% from Harlingen) with 50 to 60 coaches. This league expects player numbers to reach 1,000 by the fall, and the postseason requires their teams to have access to the fields in the fall. Tournaments are possible, but fields need to be in better condition. Not all fields are fenced, and soccer starts April 6 through late May, summer season mid-June through mid-July, fall season Sept. through Nov. The postseason playoffs and recreational programs begin thereafter. The majority of tournaments are held in Brownsville, Texas. This is a missed opportunity for Harlingen youth. There are organizations with four divisions, each containing 20 kids, and these organizations want to host the tournaments in Harlingen. This opportunity will help increase business in Harlingen, such as restaurants and hotels. Vestal Park is big enough to host a tournament; unfortunately, it does not have a concession stand nor a proper gate.

Gabriel Gonzalez, City Manager, stated that complaints were received about the poor condition of the restroom at Vestal Park. The proposed contracts should have the same language regarding the restrooms as Vestal Park.

Harlingen Youth Cardinals (Cheer) Coach Celia Garcia stated that the bathrooms are often closed before their practices finish at 8:00 p.m. They are usually dirty and need to be cleaned. There has been harassments/intimidations from other teams (Cheer) who use the same fields. Ms. Garcia accompanies her young female students to the bathroom due to the presence of male teenagers/adult males standing outside and inside the bathrooms.

Commissioner Mezmar suggested that the Police Department be notified when something like this happens.

Commissioner Lopez suggested a separate contract may be needed for the cheerleading teams.

Mark Sossi, City Attorney, stated the current contract deals with the city's relationship with each of the leagues. If the city wants to impose a rule for those who do not have a contract or leagues that want to go to public areas, it can be addressed outside the current contract with a separate ordinance.

Bobby Davidson, representing the South Texas Little League, stated they needed help with the squaring/lining by teams. The cleaning of bathrooms and concession stands which he and his family are doing. The cost to the league/student is substantial, considering the other fees, such as the requirements for students to participate in the league uniforms, insurance, charter fees, etc.

Mayor Sepulveda suggested transparency in the collected funds and a meeting with the City Commission twice yearly to show where the earmarked money was used. She recommended that bulletin boards be installed at all parks, notifying the public of the type of leagues/teams that will be using the various fields, and in the future, consider an ordinance specifying that those not under contract are not allowed to use the fields.

The following topics were also brought up for discussion:

- Notification of work to be done at parks so that the teams know if they will have access to a particular park for their practices.
- Local demographics show the need to assist kids with fees through scholarships.
- Establish protocols to avoid conflicts with the public using the fields needed for practice.
- There should be a flat fee/rate that is more economical rather than the fee for each child on the team.
- Consideration of a reasonable cost for families due to inflation. Parents are struggling to pay the fees. Other cities, on average, charge \$7.00.
- The city should consider a customized contract outlining schedules pertaining to a specific sport/team's usage of a given field.

2) Consideration and possible action on recommendations to Sports League Contract.

Motion was made by Commissioner Mezmar and seconded by Commissioner Lopez to table the item until further discussions are held with the City Manager, City Attorney and Mr. Javier Mendez. Motion carried unanimously.

3) Adjournment

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

City of Harlingen

ATTEST:

Norma Sepulveda, Mayor

Amanda C. Elizondo, City Secretary

7(2)

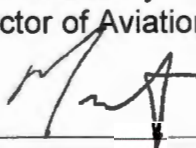
**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **Wednesday, March 20, 2024**

Agenda Item:

Consideration and possible action to approve a resolution to accept the Federal Aviation Administration (FAA) anticipated Grant offer No. 3-48-0101-075-2024, in the amount of Four Million, Five Hundred Thousand Dollars and no/100s (\$4,500,000.00) for the Air Traffic Control Tower project at Valley International Airport. Attachment (**Airport**)

Prepared By (Print Name): **Marv R. Esterly**
Title: **Director of Aviation**

Signature: 

Brief Summary:

This grant is for the Air Traffic Control Tower project at Valley International Airport.

Funding (if applicable):

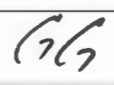
Are funds specifically designated in the current budget for the full ☒ Yes ☐ No*

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

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

Staff Recommendation:

Staff recommends acceptance of the anticipated Federal Aviation Administration (FAA) Grant offer No. 3-48-0101-075-2024, in the amount of Four Million, Five Hundred Thousand Dollars and no/100s (\$4,500,000.00) for the Air Traffic Control Tower project at Valley International Airport.

City Manager's approval: 

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☐ Yes ☐ No ☐ N/A

RESOLUTION NO. NO. _____

STATE OF TEXAS §

COUNTY OF CAMERON §

WHEREAS, the United States Department of Transportation, Federal Aviation Administration is expected to submit an anticipated grant offer; Grant No. 3-48-0101-075-2024; and

WHEREAS, the intended purpose of the anticipated Grant No. 3-48-0101-075-2024 is for the Air Traffic Control Tower project at Valley International Airport in the amount of Four Million, Five Hundred Thousand Dollars and no/100s (\$4,500,000.00); and

WHEREAS, the anticipated Grant No. 3-48-0101-075-2024 for the Valley International Airport was approved by the Harlingen Airport Board during its regular meeting of February 20, 2024; and

WHEREAS, the Elective Commission of the City of Harlingen, Texas deems it necessary and desirable to accept the execution of the anticipated FAA Grant No. 3-48-0101-075-2024 in the amount of Four Million, Five Hundred Thousand Dollars and no/100s (\$4,500,000.00), if and when it is received; now, therefore,

BE IT RESOLVED BY THE CITY OF HARLINGEN:

The Mayor of the City of Harlingen, Norma Sepulveda, is hereby authorized to execute on behalf of the City of Harlingen the anticipated Grant Offer No. 3-48-0101-075-2024 for the Air Traffic Control Tower project at Valley International Airport in the amount of Four Million, Five Hundred Thousand Dollars and no/100s (\$4,500,000.00);

When so executed by the Mayor of the City of Harlingen, the City of Harlingen shall be bound to all of the conditions and requirements as stated in said anticipated grant offer, if and when it is received.

CONSIDERED AND ADOPTED this 6th day of March 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 Elizondo, City Secretary

7(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 407 West Harrison Avenue, bearing a legal description of Lots 8-9, Block 84, Harlingen Original Townsite Subdivision. Applicant: Janie Zamora. Attachment **(Planning & Development)**

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

Brief Summary:

Project Timeline

- February 2, 2024 – Application for a Special Use Permit ("SUP") submitted to the City. **(ATTACHMENT I)**
- February 9, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- February 10, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- February 28, 2024 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission ("P&Z").
- March 6, 2024 – Public hearing and consideration of the requested SUP via 1st Ordinance reading scheduled before the City Commission.
- March 20, 2024 – Pending approval of 1st Ordinance reading, consideration of approval of 2nd Ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, an adult business (bar/lounge) in a General Retail ("GR") District requires the approval of an SUP by the City Commission.
- The applicant wishes to operate a bar/lounge at 407 W. Harrison Avenue under a new name, "Mague's Bar". The building floor area is approximately 1,360 square feet, measuring 20 feet by 68 feet. Based on the floor plan submitted, there will be approximately 48 seats. The property is a non-conforming status for the parking requirements. As a result, the property shall be permitted to operate with the existing parking along the Harrison Avenue shoulders. The proposed hours of operation will be every day of the week from 11am to 2am. **(ATTACHMENT II)**.
- The previous SUP for the property was for a bar/lounge approved on March 21, 2021 under the name of El Cisne Bar, with Nora Herrera Manriquez as the TABC permit holder.
- The surrounding properties are zoned General Retail ("GR") District to the north, east, south, and west of the subject property **(ATTACHMENT IV)**. Surrounding land uses are an herb shop, Mage's Auto Electric, Taqueria La Fogata, and Valle

Barber & Beauty Supply Co. (ATTACHMENT V).

- The SUP request was routed to the Building Inspections Department, Health Department, Fire Prevention Department, and Police Department for review. Staff reported no objections subject to applying for all applicable permits and compliance with all city ordinances, codes and standards. (ATTACHMENT VI).
- The applicant must obtain and maintain the proper State and TABC permits.
- Staff mailed out 17 legal notices. To the present, the Planning and Development Department has not received any objections to the request from the surrounding property owners.
- In accordance with the Code of Ordinances, the P&Z and City Commissions may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

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

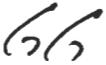
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits;
2. Must provide video surveillance with a minimum 30-day retention;
3. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
4. Hours of operation shall be every day from 11:00 am to 2:00 am.; and
5. A licensed security officer must be on-site during the peak hours of Thursday to Saturday from 9:00pm to 2:00am.

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

Comments:

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

ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT (SUP) ISSUED TO JANIE ZAMORA TO ALLOW A BAR/LOUNGE IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 407 WEST HARRISON AVENUE, BEARING A LEGAL DESCRIPTION OF LOTS 8-9, BLOCK 84, HARLINGEN ORIGINAL TOWNSITE SUBDIVISION, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Special Use Permit (SUP) issued to Janie Zamora to allow a parking lot in a General Retail ("GR") District located at 407 West Harrison Avenue, bearing a legal description of Lots 8-9, Block 84, Harlingen Original Townsite.

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

The Special Use Permit is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and

incorporated herein by reference as Exhibit "A" and shall comply with the conditions as listed below:

1. Must obtain and maintain the proper State and City permits;
2. Must provide video surveillance with a minimum 30-day retention;
3. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments;
4. Hours of operation shall be every day from 11:00 am to 2:00 am.; and
5. A licensed security officer must be on-site during the peak hours of Thursday to Saturday from 9:00pm to 2:00am.

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

FINALLY ENACTED this 20th day of March, 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.

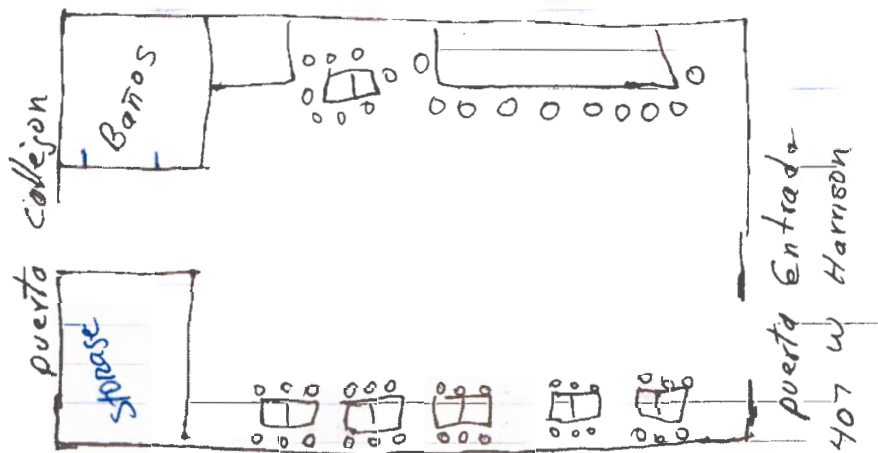
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

EXHIBIT "A"



7(c)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to approve and authorize the City Manager, on behalf of the City of Harlingen, to submit a grant application, accept related award and ultimately expend said funding in the amount of **\$65,000.00** to the Office of the Governor - Homeland Security Grants Division in regards to the FY 24 Local Border Security Grants Program (LBSP) which will be used for funding overtime costs and operating expenses to the city of Harlingen for providing additional manpower to enhance and improve border security. Attachment (**Police**)

Prepared By (Print Name): Michael Kester

Title: Chief of Police

Signature: 

Brief Summary:

The Harlingen Police Department has the opportunity to receive funding under the Local Border Security Program that will allow officers to work in a state-led and unified strategy to respond to the increased presence and threat of organized crime, terrorism and violent crimes within our borders. The grant cycle is from September 1, 2023 to August 31, 2024.

Funding (if applicable):

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

*If no, specify source of funding and amount requested: The source of funding will derive from reimbursement requests to the Office of the Governor- Homeland Security Grants Division.

Finance Director's approval:

☒ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends that we submit an application to the FY 2024 Local Border Security (Border Star) program.

City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☐ Yes ☐ No ☐ N/A

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS AUTHORIZING THE HARLINGEN POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION, ACCEPT RELATED AWARD AND ULTIMATELY EXPEND SAID FUNDING IN REFERENCE TO GRANT #2995509 FROM THE OFFICE OF THE GOVERNOR HOMELAND SECURITY GRANTS DIVISION IN REGARDS TO THE FY 24 LOCAL BORDER SECURITY PROGRAM (LBSP)

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

WHEREAS, the governing body of the City of Harlingen had considered the proposed grant funding opportunity under the FY 24 Local Border Security Grants Program (LBSP), in the proposed amount of **\$65,000.00** from the Office of the Governor – Homeland Security Grants Division; and

WHEREAS, the governing body of the City of Harlingen, Texas understanding the financial limitations and obligations related to such funding, including the full return of grant funds in the event of a loss or misuse of the FY 24 Local Border Security Grants Program (LBSP) funds, endorses the application and ultimate acceptance of the award for the Harlingen Police Department; and

WHEREAS, the City Commission of the City of Harlingen designates the City Manager Gabriel Gonzalez as the authorized official to apply for, accept, reject, alter or terminate funding of said grant.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS: that the City Commission approves the submission, acceptance and expenditure of grant funding awarded by the Office of the Governor – Homeland Security Grants Division for the funding made available under the FY 24 Local Border Security Grants Program (LBSP), in the amount of **\$65,000.00**.

CONSIDERED AND ADOPTED 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.

GRANT #2995509

CITY OF HARLINGEN:

Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

7(d)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20 2024**

Agenda Item:

Consideration and possible action to approve and authorize the City Manager, on behalf of the City of Harlingen, to accept a grant-related award and ultimately expend said funding in the amount of \$183,860.00 from the Office of the Governor - Homeland Security Grants Division in regard to FY 23 Operation Stonegarden. Attachment (**Police**)

Prepared By (Print Name): Michael Kester

Title: Chief of Police

Signature: 

Brief Summary:

The Harlingen Police Department will utilize the Operation Stonegarden Program funding for overtime costs and equipment to provide additional manpower in a state-led and unified strategy to respond to the increased presence and threat of organized crime, terrorism, and violent crimes within our borders.

Funding (if applicable):

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

*If no, specify source of funding and amount requested: The **\$186,860.00** source of funding will derive from reimbursement requests to the Office of the Governor-Homeland Security Grants Division.

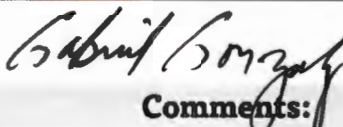
Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends that we accept the Operation Stonegarden grant funding allocated to the Harlingen Police Department.

City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☐ Yes ☐ No ☐ N/A

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, AUTHORIZING THE HARLINGEN POLICE DEPARTMENT TO ACCEPT RELATED AWARD AND ULTIMATELY EXPEND SAID FUNDING IN REFERENCE TO GRANT #3186909 FROM THE OFFICE OF THE GOVERNOR - HOMELAND SECURITY GRANTS DIVISION IN REGARD TO FY23 OPERATION STONEGARDEN

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

WHEREAS, the governing body of the City of Harlingen has considered the awarded grant funding opportunity under the Operation Stonegarden program in the award amount of **\$183,860.00** from the Office of the Governor - Homeland Security Grant Division and;

WHEREAS, the governing body of the City of Harlingen, Texas, understanding the financial limitations and obligations related to such funding, including the full return of grant funds in the event of a loss or misuse of the Operation Stonegarden Funds, endorses the acceptance of the award for funding to the Harlingen Police Department and.

WHEREAS, the City Commission of the City of Harlingen designates the City Manager Gabriel Gonzalez as the authorized official to apply for, accept, reject, alter, or terminate funding of said grant.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS: that the City Commission approves the acceptance and expenditure of grant funding awarded by the Office of the Governor - Homeland Security Grants Division for the funding made available under FY23 Operation Stonegarden in the amount of **\$183.860.00**.

CONSIDERED AND ADOPTED 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**.

GRANT #3186909

CITY OF HARLINGEN:

Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

7(e)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to approve a request from S.K. Edgar Martinez, Grand Knight, Council #2785 with the Knights of Columbus for street closures for the Knights of Columbus Association's 3rd Annual RGV BBQ Cookoff event being held on Friday, May 3, 2024 from 12:00 p.m. thru 11:00 p.m. Saturday, May 4, 2024.

- Southside intersection of 17th Street and East Van Buren Avenue
- Alleyway in the 200 Block of South 17th Street
- Northside intersection of 17th Street and East Harrison Avenue

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

Signature: 

Brief Summary:

S.K. Edgar Martinez, Grand Knight, Council #2785 with the Knights of Columbus is requesting for street closures for the Knights of Columbus Association's 3rd Annual RGV BBQ Cookoff event being held on Friday, May 3, 2024 from 12:00 p.m. thru Saturday, May 4, 2024 at 11:00 p.m.

- Southside intersection of 17th Street and East Van Buren Avenue
- Alleyway in the 200 Block of South 17th Street
- Northside intersection of 17th Street and East Harrison Avenue

These street closures will 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 ☐ 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:  ☒ 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: 3/6/24

FROM: District Representative Benito Bravo #3412

RE: Street Closure Request for Knights of Columbus Council #2785

Requestor: Edgar Martinez / Grand Knight Council #2785
Event Date: Friday May 3rd thru Saturday May 4th 2024
Time: May 3rd 12:00 P.M. thru May 4th 11:00 P.M.
Location: 1701 East Harrison Avenue, Harlingen, TX

Edgar Martinez is requesting a street closure on behalf of the Knights of Columbus Council #2785 for their 3rd Annual IBCA RGV BBQ Cookoff at the Knights of Columbus building located at 1701 East Harrison Avenue in Harlingen Cameron County Texas. Mr. Martinez is requesting to have the 200 Block of South 17th Street closed for the event. The street closure is to ensure the safety of the attending public and participants. The event will begin on May 3rd, 2024 at 12:00 P.M. and end on May 4th, 2024 at 11:00 P.M.

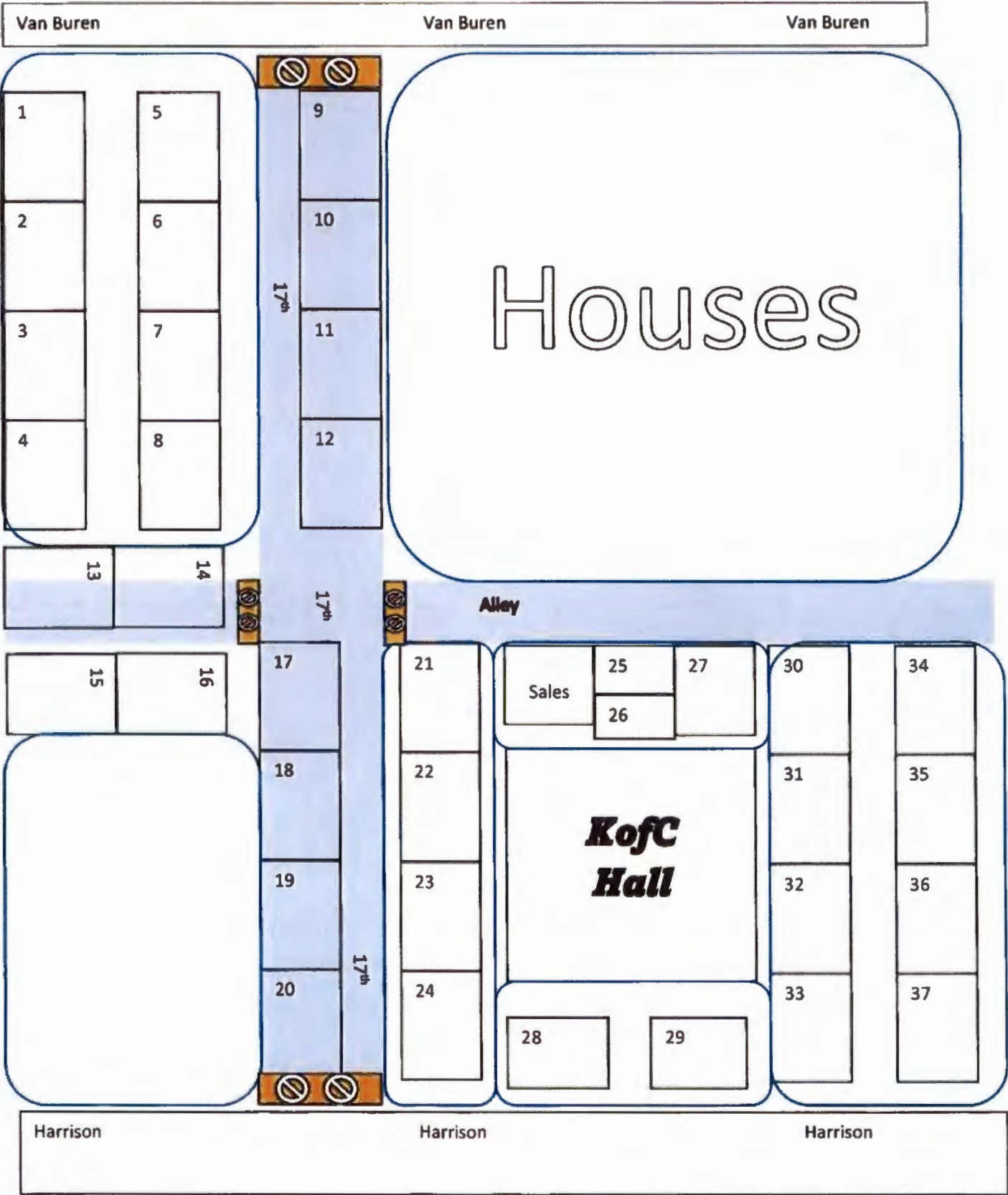
If approved, barricades are to be delivered by the City of Harlingen Streets Department prior to 4:00 P.M. on Thursday, May 2nd, 2024 and removed from the roadway at 11:00 P.M. on May 4th, 2024. A copy of the map is attached to this IDC.

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

- Close the south side intersection of 17th Street and East Van Buren Ave.
- Close the alleyway in the 200 block of South 17th Street.
- Close the north side intersection of 17th Street and East Harrison Ave.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3412	03/06/2024
SERGEANT / SUPERVISOR		3464	3/6/24
COMMANDER / MANAGER			
DEPUTY CHIEF		1933	3/6/24
ASSISTANT CHIEF		2921	3/6/24
CHIEF OF POLICE			

KofC 2785 is requesting 17th St. closer between Van Buren and E. Harrison on May 3rd @ 12pm and May4th till 11pm.





Knights of Columbus

Council #2785



Harlingen Police Department,

We the Knights of Columbus of Council #2785 are planning to host a BBQ competition on Friday, May 3rd and Saturday, May 4th, 2024, please see attached flyer. We are requesting the closure of 17th street from Van Buren to E. Harrison on those two days from Friday at noon until Saturday at 11 p.m. if possible. The event will consist of approximately 30 cooks and 40 judges. This is one of our biggest inaugural events and we hope to continue it annually God permitting. Proceeds will go to KofC charities primarily Scholarships, Special Olympics and cover current & future event expenditures. Please feel free to contact me anytime, may God bless the entire Harlingen Police Dpt.!

Appreciatively,

S.K. Edgar Martinez
Grand Knight
Council #2785
(956)561-0966
Edgar_R_Martinez77@yahoo.com
1701 E Harrison Ave,
Harlingen TX 78550



Knights of Columbus Council #2785
Our mailing address is: 1701 E Harrison Ave, Harlingen TX 78550
(956) 423-9044, Visit us at <https://www.facebook.com/greatcouncil2785/>



2785 Knights Of Columbus

3rd Annual RGV BBQ Cookoff

\$200 Dollar Entry Fee

Fri MAY 3rd

& Sat May 4th

Location: KofC 2785's Hall
1701 E. Harrison Ave, 78550

Beef



Pork



Proceeds go to Local Charities

Poultry



30 Team Cap

1 Half Choice – 8 Pork Ribs – 8 Slices of Brisket

Friday 7Pm Jackpot

Sat 11AM Jackpot

Fajitas \$25

Beans \$25

Contact Info - GK Edgar Martinez 956-561-0966

For contest rules visit IBCA website link below
<https://ibcabbq.org/organization-documents/>

Benito Bravo - HPD

From: Charles Fechner - HPD
Sent: Wednesday, March 6, 2024 8:38 AM
To: Manuel Tovar - HPD; Benito Bravo - HPD; Jose J. Lopez - HPD; Sergio Ruiz - HPD; Robert W. Curry - HPD
Subject: Fwd: KofC 2785 3rd Annual BBQ
Attachments: KofC BBQ 2785.pdf; Hall 88Q Map.pdf; KofC 2785 BBQ Competition Request 050324 through 050424.pdf

Get [Outlook for iOS](#)

From: Edgar Martinez <edgar_r_martinez77@yahoo.com>
Sent: Wednesday, March 6, 2024 8:09:11 AM
To: Charles Fechner - HPD <cfechner@harlingentx.gov>
Subject: Fw: KofC 2785 3rd Annual BBQ

Bill,

I attached the KofC BBQ Request for the Harlingen closer, please print or forward this message to the correct parties.

Thank you so much brother!

GK Edgar Martinez

RE: STREET CLOSURE REQUEST - KNIGHTS OF COLUMBUS BBQ COOKOFF

Ruben Balboa - HFD <rbalboa@harlingentx.gov>

Wed 3/6/2024 4:04 PM

To: Frances Pena - HPD <fpena@harlingentx.gov>; Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>

Good afternoon Ms. Frances,

HFD has no issues with the street closing.

From: Frances Pena - HPD <fpena@harlingentx.gov>

Sent: Wednesday, March 6, 2024 3:45 PM

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 REQUEST - KNIGHTS OF COLUMBUS BBQ COOKOFF

Good Morning Asst. Fire Chief Alvarez:

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

1. KNIGHTS OF COLUMBUS 3RD ANNUAL RGV BBQ COOKOFF

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

7(4)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:
Consideration and possible action authorizing the City Manager to enter into an agreement between the City of Harlingen and the Lower Rio Grande Valley Development Council's Valley Metro. <i>Attachment (City Manager).</i>
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
RGV Metro Express offers limited-stop intercity service from UTRGV Edinburg to McAllen, from McAllen to Harlingen, Harlingen to Brownsville, and from Brownsville to Port Isabel (Red Line 1 & 2, Orange Line, and the Blue Line (Sundays only).
Valley Metro, the Lower Rio Grande Valley Development Council's transit department, has requested from its transit partners, such as the City of Harlingen, McAllen Metro, B-Metro, UTRGV, and the City of Edinburg to provide financial support to offer these routes. All other entities have agreed to support the service.
The financial contribution required from Harlingen is \$50,099.10 per year for three (3) years. The memorandum of understanding establishes that the City of Harlingen will provide the aforementioned local match to support the operation and related activities.
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 is in support of continuing the RGV Metro Express service.
City Manager approval: 66
Comments:
City Attorney's approval:

**Memorandum of Understanding Agreement Between
The Lower Rio Grande Valley Development Council/Valley Metro
And
The City of Harlingen**

The following Memorandum of Understanding Agreement sets forth the terms between the following: The Lower Rio Grande Valley Development Council herein referred to as the (“LRGVDC/Valley Metro”), and the City of Harlingen, herein referred to as (“Harlingen”) in the operation of the RGV Metro Express.

I. Purpose of Agreement

It is the purpose of this Agreement is to establish a cooperative and mutually beneficial relationship between the parties and to set forth the relative responsibilities of the parties to disseminate information and make appropriate referrals. The Lower Rio Grande Valley Development Council – Valley Metro has received funding from the Texas Department of Transportation (TxDOT) and/or Federal Transit Administration (FTA) to provide transportation services for the Intercity Bus Program, RGV Metro Express.

RGV Metro Express establishes three (3) routes: the Red Line 1 & 2, Orange Line and Blue Line-Sundays only.(ATTACHMENT A) The routes will feed directly into the four (4) regional hubs: La Plaza Terminal at Brownsville, Harlingen Terminal, Brownsville Transit Terminal, and McAllen Metro Central Station. The routes will provide limited-stop intercity service from UTRGV Brownsville to McAllen, from McAllen to Harlingen, Harlingen to Brownsville, and from Brownsville to Port Isabel. The Orange Line will feed directly into the following regional hubs: La Plaza Terminal at Brownsville, Harlingen Terminal, Brownsville Transit Terminal, McAllen Metro Central Station and Valley Metro Edinburg Terminal. Connecting regional hubs in the area and a commitment to seamless transportation are the primary driving forces for this project.

II. Duration of Agreement

This Agreement will be comprised of a three-year term as stipulated herein by all parties. Following the proof of sustainability of this project, this Agreement allows for the option to amend the term or local match contribution by mutual agreement of both parties.

Year 1: January 1, 2024, to December 31, 2024

Year 2: January 1, 2025, to December 31, 2025

Year 3: January 1, 2026, to December 31, 2026

III. General Provisions

It is understood by the parties each will fulfill its responsibilities under this Agreement in accordance with the provisions of law and regulation that govern their activities. Nothing in this Agreement is intended to negate or otherwise render ineffective any such provisions or operating procedures. If at any time any party is unable to perform its functions under this Agreement consistent with each party’s statutory and regulatory mandates, the affected party shall immediately provide written notice to LRGVDC – Valley Metro and establish a date for mutual resolution of the conflict.

IV. Responsibilities of the Parties under the Agreement

In consideration of the mutual aims and desires of the parties to this Agreement and in recognition of the public benefit to be derived from effective implementation of the programs involved, the parties agree their responsibilities under this Agreement shall be as follows:

A. The Lower Rio Grande Valley Development Council/Valley Metro

LRGVDC – Valley Metro will:

1. Serve as the fiscal agent for the RGV Metro Express project.
2. Work directly with Metro Express Partners: The University of Texas Rio Grande Valley (UTRGV), the City of McAllen/Metro McAllen, the City of Harlingen, City of Brownsville/B-Metro, the City of South Padre Island, and LRGVDC/Valley Metro and monitor, manage, and report all criteria in accord with the requirements of Texas Department of Transportation (TxDOT) and the Federal Transit Administration (FTA);
3. Evaluate the success of this project utilizing the performance measures:
 - Fares/Operating Costs
 - Operating Costs/Passenger Trip
 - Operating Costs/Revenue Vehicle Mile
 - Operating Costs/Revenue Vehicle Hour
 - Operating Costs/Total Vehicle Hour
 - Revenue Vehicle Hours/Total Vehicle Hour
 - Revenue Vehicle Miles/Revenue Vehicle Hour
 - Passenger Trips/Revenue Vehicle Hour
 - Passenger Trips/Revenue Vehicle Mile

These performance measures will be obtained by monitoring the collection of fares, passenger trips, hours of services, and miles of services.

4. Conduct QUARTERLY meetings with all RGV Metro Express partners to ensure the goals and objectives are being met as well as to discuss efficiencies and possible modifications.
5. Valley Metro Will give notice before implementation of any operation change that will reduce frequency or hours of service to the RGV Metro Express Routes.
6. Gather community input by interviewing passengers and taking surveys on customer satisfaction, trip origin and destination, customer complaints and personal cost effectiveness (personal vehicles versus public transportation). The information obtained will be used to study the project's value to the community and make any possible modifications if warranted.
7. Provide experienced, trained, professional drivers for the operation of intercity revenue service on the Red Lines, Orange Line, and Blue Line in accordance with the schedules and route maps shown in ATTACHMENT A.
8. Ensure all drivers assigned to the RGV Metro Express Routes possess a valid Commercial Driver's License with Passenger Endorsement.

9. Collect all pre and post-trip inspection documents and Driver's Daily Report for all service provided under this agreement.
10. Provide the fleet detailing and fueling of vehicles for the use of the Metro Express project.
11. Provide fleet maintenance and related services.
12. Report any issue(s) related to the proper functioning and maintenance of the revenue vehicles; and
13. Ensure all drivers have a training check list in their personnel files, which notes fare collection equipment, radio communication equipment, technical and safety equipment, tie downs, lift equipment, and accident and incident reporting procedures.

B. City of Harlingen

Harlingen will:

1. Provide an annual local cash match of \$50,099.10 on January of each year beginning January 01, 2024, through December 31, 2026 as outlined below, to support the operation and related activities of the RGV Metro Express. Annual local cash match is subject to change and may be amended based on operating costs and State and Federal funding.

Year 1: January 1, 2024, to December 31, 2024, amount \$50,099.10

Year 2: January 1, 2025, to December 31, 2025, amount \$50,099.10

Year 3: January 1, 2026, to December 31, 2026, amount \$50,099.10

C. All Parties shall:

1. Develop and implement an efficient and effective transit system between the Parties.
2. Participate in joint planning, when appropriate.
3. Exchange information and coordinate activities and programs for a more streamlined and efficient program system.
4. Provide cross training, as appropriate, between the staff of the Parties regarding program opportunities, services, policies, and procedures.
5. Promote the development of additional linkages with other appropriate partners, including state, local and community agencies.
6. Maintain the confidentiality of participant information and use participant data only in the administration of the Parties' programs.
7. The Department Directors whose functions will include serving as a resource to their agency for implementation of the Agreement, providing guidance for the implementation of services under the Agreement, coordinating communication and meetings between the Parties to review policy, procedures and other issues related to the Agreement, and coordinating interagency training programs and will designate a liaison for day to day operational needs; no communication will occur outside designated liaison; and
8. Ensure compliance with all rules and regulations set forth in the Federal Intercity Bus Program 2018 Project Grant Agreement with the Texas Department of Transportation (ATTACHMENT B); and

9. In following with the recommendations of the Lower Rio Grande Valley Regional Public Transportation Coordination Plan, each Party noted in this Agreement will promote and advocate regional service through Metro Express and encourage the use of transit services within each Partner noted in this Agreement.

V. Local Match Contribution

The parties in this Agreement assume full responsibility for their respective local match contribution associated with their performance of the terms of this Agreement. In no event, except as may be provided in a Supplemental Agreement, shall any party be obligated to pay or reimburse any expense incurred by another party under this Agreement.

Local match contribution shall be provided annually for the three-year term as stipulated herein by all parties. Following the proof of sustainability of this project, this Agreement allows for the option to amend the term or local match contribution by mutual agreement of both parties.

Year 1: January 1, 2024, to December 31, 2024, amount \$50,099.10

Year 2: January 1, 2025, to December 31, 2025, amount \$50,099.10

Year 3: January 1, 2026, to December 31, 2026, amount \$50,099.10

VI. Amendment or Cancellation of Agreement

The Agreement may be amended at any time in writing and by mutual consent of the parties. The Agreement may be cancelled by any party upon thirty (30) days written notice. Where one party believes there has been a material breach of any provisions herein, notice must be provided in writing which allows the other parties ten (10) days to resolve the allegation to the satisfaction of the other party. If the alleged breach remains unresolved at the end of ten (10) days, the Agreement may be cancelled immediately upon a second written notice.

Approved:

The undersigned parties bind themselves to the faithful performance of this Agreement. It is mutually understood that this Agreement RGV Metro Express shall not become effective until approved by all parties involved.

The Lower Rio Grande Valley Development Council/Valley Metro

Signature - LRGVDC

Name and Title

The City of Harlingen

Signature – City of Harlingen

Name and Title

ATTACHMENT A

Schedules and route maps

<https://www.lrgvdc.org/downloads/transportation/RGV%20Metro%20Express%20-%20Blue%20Line%20UPDATE%2009.15.22.pdf>



Download the Ride Systems App on your phone to follow the bus in real time! Available on both the Google Play Store and Apple Store.

Descarga la aplicación Ride Systems en tu teléfono para seguir el autobús en tiempo real! Disponible en ambos Google Play Store y Apple Store.

Information Line:
1-800-574-8322

ValleyMetroRGV@LRGVDC.org

 Lower Rio Grande Valley Development Council
Valley Metro Weslaco

Schedules are subject to change without notice. LRGVDC - Valley Metro makes every effort to adhere to published schedules, but bears no liability for a failure to do so. No service on the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving, and Christmas.

Los horarios están sujetos a cambios sin previo aviso. LRGVDC - Valley Metro hace todo lo posible para cumplir con los horarios publicados, pero no asume ninguna responsabilidad por no hacerlo. No hay servicio en los siguientes días festivos: Día de Año Nuevo, Día de los Caídos, 4 de Julio, Día del Trabajo, Día de los Veteranos, Acción de Gracias y Navidad.

Route / Ruta
Blue Line

RGV Metro Express

Sunday Only
Domingo Solamente

Serving
Servicio a



La Plaza Bus Terminal



Brownsville - SPI Airport



Port Isabel - Las Palmas Shopping Center




510 S. Pleasantview Drive, Weslaco, Texas 78596
<https://www.lrgvdc.org/valleymetro.html>

Information / Información
1-800-574-8322

Scheduled Stops
Paradas Programadas

La Plaza Bus Terminal

Brownsville-SPI International Airport

Port Isabel - Las Palmas Shopping Center

This bus stops briefly at each of these locations on all trips.

El autobús se parará brevemente en cada una de estas localizaciones en todos los viajes.

Effective April 1, 2022
Sunday / Domingo
Fares / Tarifas

Single Pass (Unidireccional)	\$ 1.50 with
Weekly Pass / Pase semanal	\$50.00
Monthly Pass (Unidireccional) / Pase mensual (Unidireccional)	\$200.00
30-Day Pass** / Pase de 30-Días**	\$ 50.00
Children under 7 years*** / Niños menores de 7 años***	FREE / GRATIS

*Monthly pass may be purchased at the LRGVDC - Finance Department inside building C located at 301 W Railroad St, Weslaco, TX 78596. / *El pase mensual se puede comprar en el Departamento de Finanzas de LRGVDC ubicado en 301 W Railroad St, Weslaco, TX 78596 en el edificio C.

**30-Day Pass for any student and faculty other than UTRGV may be purchased at the LRGVDC - Finance Department inside building C located at 301 W Railroad St, Weslaco, TX 78596. / **30-Day Pass para estudiantes y facultad distintos a UTRGV se puede comprar en el Departamento de Finanzas de LRGVDC ubicado en 301 W Railroad St, Weslaco, TX 78596 en el edificio C.

***Children under 7 years must be accompanied by a paying adult. / ***Niños menores de 7 años deben de estar acompañados por un adulto con tarifa regular.

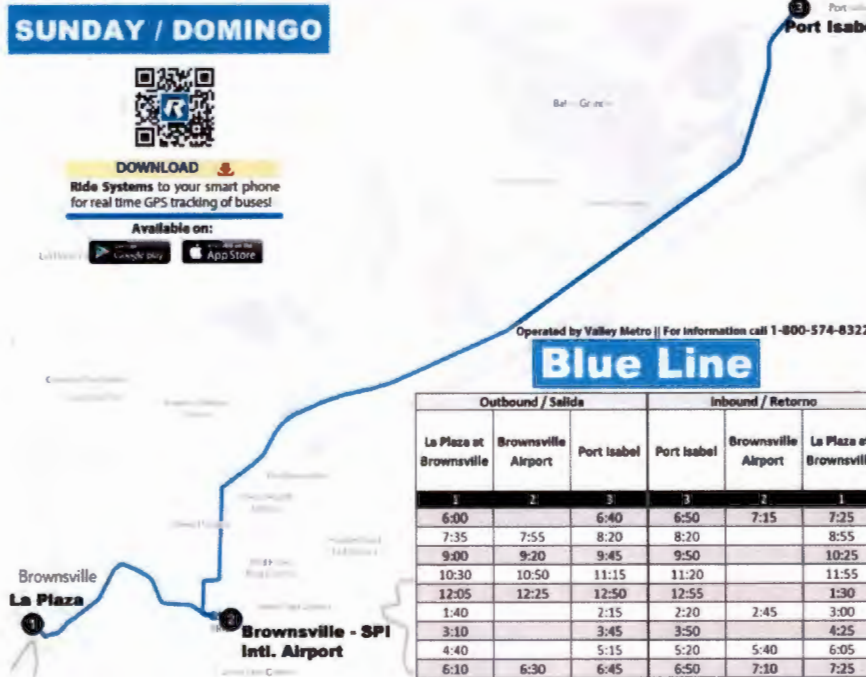
SUNDAY / DOMINGO



DOWNLOAD
Ride Systems to your smart phone
for real time GPS tracking of buses!

Available on:



Operated by Valley Metro | For information call 1-800-574-8322

Blue Line

Port Isabel

Outbound / Salida			Inbound / Retorno		
La Plaza at Brownsville	Brownsville Airport	Port Isabel	Port Isabel	Brownsville Airport	La Plaza at Brownsville
1	2	3	3	2	1
6:00		6:40	6:50	7:15	7:25
7:35	7:55	8:20	8:20		8:55
9:00	9:20	9:45	9:50		10:25
10:30	10:50	11:15	11:20		11:55
12:05	12:25	12:50	12:55		1:30
1:40		2:15	2:20	2:45	3:00
3:10		3:45	3:50		4:25
4:40		5:15	5:20	5:40	6:05
6:10	6:30	6:45	6:50	7:10	7:25



Download the Ride Systems App on your phone to follow the bus in real time! Available on both the Google Play Store and Apple Store.

Descarga la aplicación Ride Systems en tu teléfono para seguir el autobús en tiempo real! Disponible en ambos Google Play Store y Apple Store.

Information Line:
1-800-574-8322

ValleyMetroRGV@LRGVDC.org

 Lower Rio Grande Valley Development Council
Valley Metro Westlaco

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Los horarios son susceptibles a cambios sin aviso. LRGVDC - Valley Metro hace cada esfuerzo de adherir a los horarios publicados, pero no se hace responsable en caso de que no sea así. No hay servicio en los días feriados siguientes: Año Nuevo, el Día de los Caídos, 4 de julio, Día del Trabajo, Día de los Veteranos, Acción de gracias, y Navidad.

Route / Ruta
Red Line 1 - 2
RGV Metro Express

Monday - Sunday
Lunes - Domingo

Serving   Central Station McAllen
RGV Outlets Mercedes
Harlingen Bus Station
La Plaza Brownsville





510 S. Pleasantview Drive, Westlaco, Texas 78596
<https://www.lrgvdc.org/valleymetro.html>



Information / Información
1-800-574-8322

Scheduled Stops
Paradas Programadas

Central Station McAllen
RGV Outlets Mercedes
(Old Navy Outlet)
Harlingen Bus Terminal
La Plaza Brownsville
(Bay 11)

Effective April 1, 2022

Fares / Tarifas

Daily Pass (Unlimited) / Pase Diario (Ilimitado)	\$10.00
Weekly Pass / Pase semanal	\$50.00
Monthly Pass (Unlimited) / Pase mensual (Ilimitado)	\$200.00
30-Day Pass** / Pase de 30-Días**	\$50.00
UTRGV Students and Faculty / Estudiantes y Facultad de UTRGV	FREE / GRATIS
Children under 7 years*** / Niños menores de 7 años***	FREE / GRATIS

*Monthly pass may be purchased at the LRGVDC - Finance Department inside building C located at 301 W Railroad St. Westlaco, TX 78596. / **30-Day Pass may be purchased at the LRGVDC - Finance Department inside building C located at 301 W Railroad St. Westlaco, TX 78596. / ***30-Day Pass para estudiantes y facultad distinte a UTRGV se puede comprar en el Departamento de Finanzas de LRGVDC ubicado en 301 W Railroad St. Westlaco, TX 78596 en el edificio C.

***Children under 7 years must be accompanied by a paying adult. / ***Niños menores de 7 años deben de estar acompañados por un adulto con tarifa regular.

Red Line 1 & 2

Operated by Valley Metro || For information call 1-800-574-8322

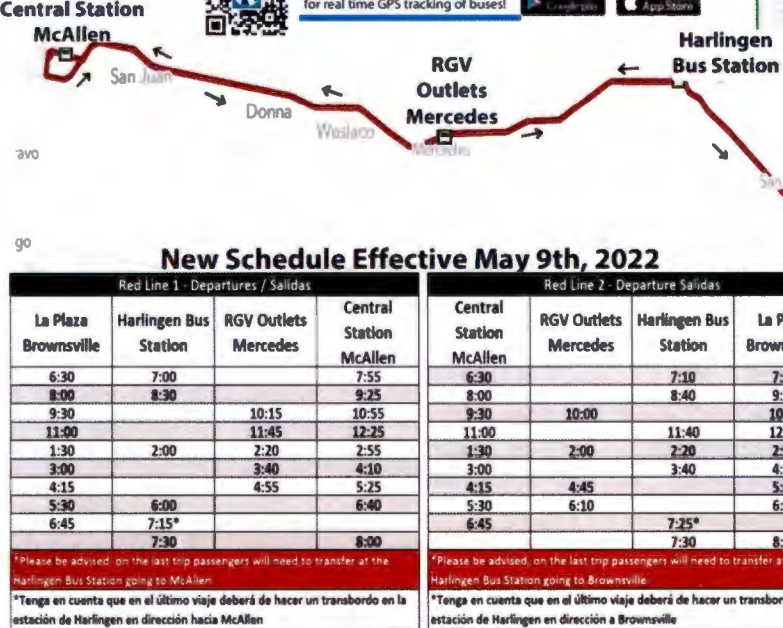


DOWNLOAD 

Ride Systems to your smart phone for real time GPS tracking of buses!

Available on:



New Schedule Effective May 9th, 2022

La Plaza Brownsville	Harlingen Bus Station	RGV Outlets Mercedes	Central Station McAllen
6:30	7:00		7:55
8:00	8:30		9:25
9:30		10:15	10:55
11:00		11:45	12:25
1:30	2:00	2:20	2:55
3:00		3:40	4:10
4:15		4:55	5:25
5:30	6:00		6:40
6:45	7:15*		
	7:30		8:00

Central Station McAllen	RGV Outlets Mercedes	Harlingen Bus Station	La Plaza Brownsville
6:30		7:10	7:55
8:00		8:40	9:25
9:30	10:00		10:55
11:00		11:40	12:25
1:30	2:00	2:20	2:55
3:00		3:40	4:10
4:15	4:45		5:25
5:30	6:10		6:40
6:45		7:25*	
		7:30	8:00



WHITE WING STADIUM
N. WICHITA AVE
HARLINGEN POLICE DEPARTMENT
FAIR PARK BLVD

*Please be advised: on the last trip passengers will need to transfer at the Harlingen Bus Station going to McAllen.

*Tenga en cuenta que en el último viaje deberá de hacer un transbordo en la estación de Harlingen en dirección hacia McAllen

*Please be advised: on the last trip passengers will need to transfer at the Harlingen Bus Station going to Brownsville.

*Tenga en cuenta que en el último viaje deberá de hacer un transbordo en la estación de Harlingen en dirección a Brownsville

<https://www.lrgvdc.org/downloads/transportation/RGV%20Metro%20Express%20-%20Orange%20Line%2008.29.23.pdf>



Download the Ride Systems App on your phone to follow the bus in real time! Available on both the Google Play Store and Apple Store.

Descarga la aplicación Ride Systems en tu teléfono para seguir el autobús en tiempo real! Disponible en ambos Google Play Store y Apple Store.

Information Line:
1-800-574-8322

ValleyMetroRGV@LRGVDC.org

 Lower Rio Grande Valley Development Council
Valley Metro Weslaco

Schedules are subject to change without notice. LRGVDC - Valley Metro makes every effort to adhere to published schedules, but bears no liability for a failure to do so. No service on the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving, and Christmas.

UT - Rio Grande Valley will not be in service for the following semester breaks: summer break, winter break and spring break.

Los horarios son susceptibles a cambios sin aviso. LRGVDC - Valley Metro hace cada esfuerzo de adherirse a los horarios publicados, pero no se hace responsable en caso de que no sea así. No hay servicio en los días feriados siguientes: Año Nuevo, el Día de los Caídos, 4 de julio, Día del Trabajo, Día de los Veteranos, Acción de gracias, y Navidad.

UT - Rio Grande Valley no estará en servicio durante los siguientes recesos semestrales: vacaciones de verano, vacaciones de invierno y vacaciones de primavera.

Route / Ruta

Orange Line

RGV Metro Express

Monday - Friday
Lunes - Viernes

Serving Servicio a

- UTRGV - Edinburg Campus
- Edinburg Transit Terminal
- Central Station McAllen
- CIC - Weslaco
- Harlingen Terminal
- UTRGV-Harlingen Campus
- La Plaza Brownsville
- UTRGV - Brownsville Campus



510 S. Pleasantview Drive, Weslaco, Texas 78596
<https://www.lrgvdc.org/valleymetro.html>



Information / Información
1-800-574-8322

Scheduled Stops
Paradas Programadas

- UTRGV - Edinburg Campus
- Edinburg Transit Terminal
- Central Station McAllen
- CIC - Weslaco
- Harlingen Bus Terminal
- UTRGV - Harlingen Campus
- La Plaza Brownsville (Bay 11)
- UTRGV - Brownsville Campus

Effective April 1, 2022

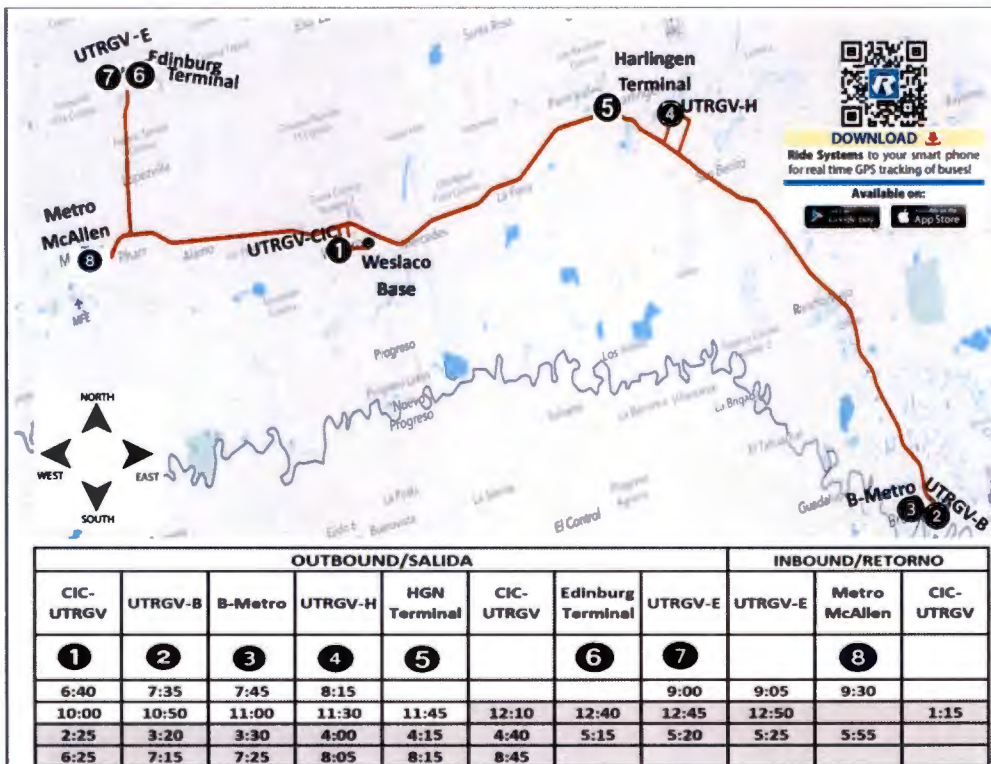
Fares / Tarifas

Daily Pass (Unlimited) / Pase Diario (Ilimitado)	\$10.00
Weekly Pass / Pase semanal	\$50.00
Monthly Pass (Unlimited) / Pase mensual (Ilimitado)*	\$200.00
30-Day Pass** / Pase de 30-Días**	\$ 50.00

UTRGV Students and Faculty / Estudiantes y Facultad de UTRGV FREE / GRATIS

Children under 7 years*** / Niños menores de 7 años*** FREE / GRATIS

*Monthly pass may be purchased at the LRGVDC - Finance Department inside building C located at 301 W Railroad St, Weslaco, TX 78596. / **30-Day Pass may be purchased at the LRGVDC - Finance Department inside building C located at 301 W Railroad St, Weslaco, TX 78596. / ***Children under 7 years must be accompanied by a paying adult. / ****Niños menores de 7 años deben de estar acompañados por un adulto con tarifa regular.



ATTACHMENT B

APPROVED PROJECT DESCRIPTION

Funding for this project will be used for the transition of the Metro Connect service to Lower Rio Grande Valley Development Council (LRGVDC). This intercity bus service connects the urban areas of Harlingen, Brownsville and McAllen to South Padre Island and bus stop locations in the rural areas between the urbanized areas connected by the service.

The first year is prorated and based on Metro Connect expenditures for a 12-month trending period.

The second year is reduced by half with the expectation that the service will continue to increase non--TxDOT funding to attain sustainability without TxDOT supplementation. A more detailed breakdown of our funding decision is included in the Budget and Milestones section of this grant.

The following capital items will be purchased to support the ICB service; bus wraps, software, WIFI router, Mobile Farebox, Cellular access, and bus monitoring.

The transit provider's response to the 2018 Coordinated Call for Projects is hereby incorporated into the project description except as amended in this attachment.

Transit provider shall comply with Article 12: Project Records and Reports and Article 13 of the Master Grant Agreement requiring procurement and project milestones/ quarterly progress reports. Within 30 days of PGA execution, the sub-recipient will provide the TxDOT Public Transportation Coordinator with a project milestone plan that delineates fund expenditures throughout the contract period.

Per Texas Administrative Code (TAC) 31.47, Audit and Project Close-Out Standards: The sub-recipient shall make every reasonable effort to complete all project activities and request appropriate reimbursements within the time period specified in the project agreement and TAC 9.136, Suspension or Termination for Cause: On termination of a sub grant, the unexpended and unobligated funds awarded to the sub grantee immediately revert to the department (TxDOT).

TxDOT's Public Transportation Division's (PTN) Federal Transit Administration Overall Disadvantaged Business Enterprise (DBE) goal for fiscal years 2018 - 2020 is 2.9 percent of funds expended by grantees. This is not a contract specific goal but an overall goal for annual DBE participation. PTN grantees should undertake efforts to include DBE businesses in purchasing and contracting opportunities and are encouraged to utilize DBE business whenever practicable. The full definition of DBE program requirements is found in Article 23 of the Master Grant Agreement.

City of Harlingen
Agenda Item Request Form

We, hereby request the following item to be added to the March 20, 2024, City Commission Agenda:

Consideration and possible action to approve the installation of speed humps in the following locations:

1. Little Creek Street
2. 800 Block of West Buchanan
3. Adams Street
4. "P", "Q", and "R" Streets
5. North Altas Palmas Road from the Expressway to Gann Street
6. Along Lake Shore Drive between East of Lake Shore Drive to Prosperity Drive.


Daniel N. Lopez, Commissioner Dist. 2
Frank Morales, Commissioner Dist. 4

7(h)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to approve a request from the Immaculate Heart of Mary Catholic Church requesting a street closures, listed below, beginning at 12:00 noon on Friday, April 12, 2024 through 11:59 p.m. on Sunday, April 14, 2024 for their Annual Spring Fiesta. Attachment (**Police**)

- Southside intersection of Tyler Avenue and "C" Street;
- Alleyway in the 400 Block of "C" Street; and,
- Northside intersection of Polk Street and "C" Street.

Prepared By (Print Name): Michael Kester

Title: Chief of Police

Signature: 

Brief Summary:

Rev. Robert Charlton, SS.CC, Pastor for the Immaculate Heart of Mary Catholic Church is requesting street closures, listed below, beginning at 12:00 noon on Friday, April 12, 2024 through 11:59 p.m. on Sunday, April 14, 2024 for their Annual Spring Fiesta.

- Southside intersection of Tyler Avenue and "C" Street;
- Alleyway in the 400 Block of "C" Street; and,
- Northside intersection of Polk Street and "C" Street.

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

The Asst. 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 ☐ 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:  ☒ 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: 3/11/24

FROM: District Representative Benito Bravo #3412

RE: Street Closure for Annual Fiesta de Amistad

Requestor: Robert Charlton / Pastor of Immaculate Heart of Mary
Event Date: April 12, 2024 12:00 P.M. to April 14, 2024 12:00 A.M.
Location: Immaculate Heart of Mary Church (412 South C Street, Harlingen, Texas)

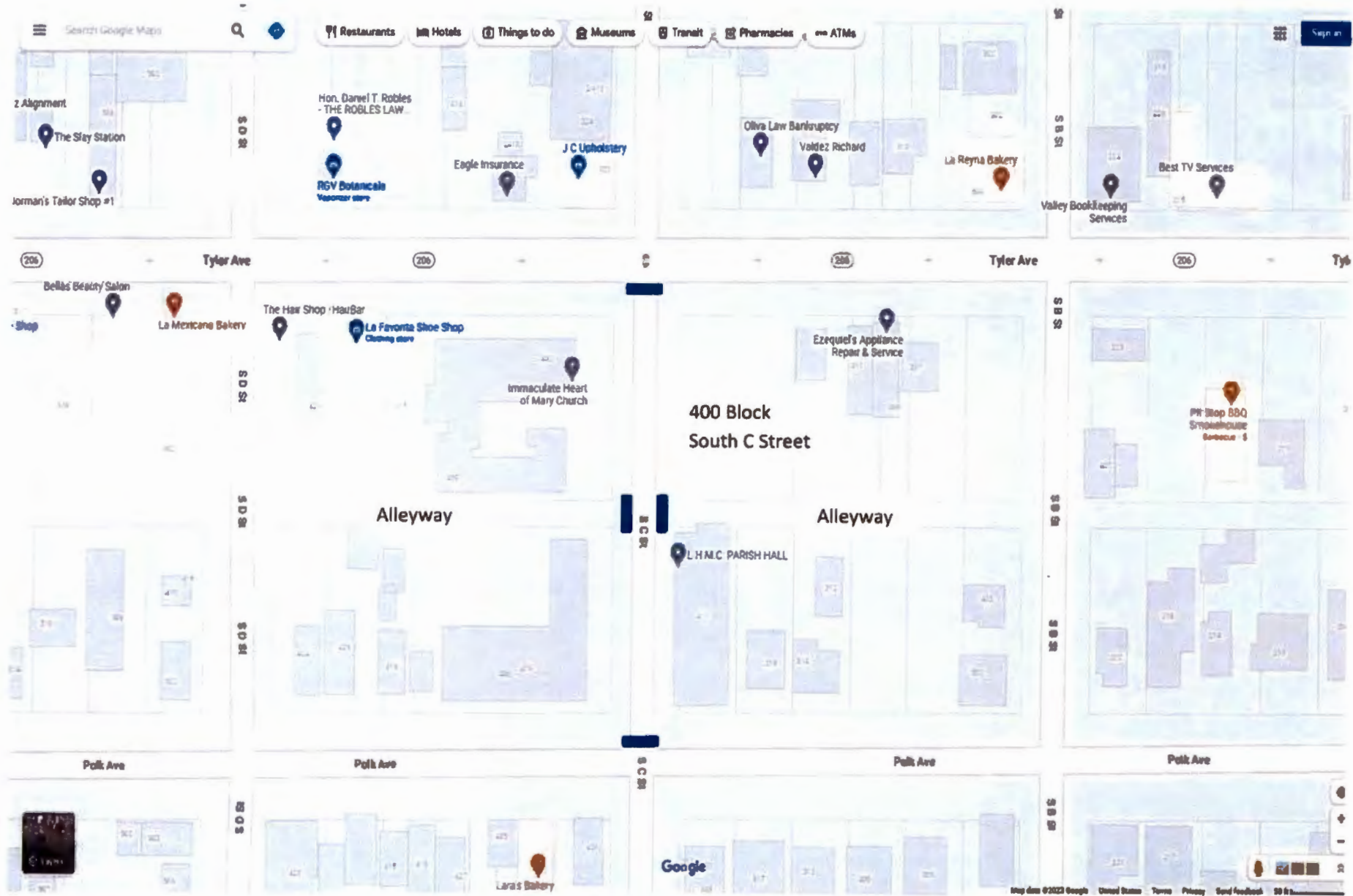
Mr. Charlton is requesting a street closure on behalf of Immaculate Heart of Mary Catholic Church for their Annual Fiesta de Amistad. This event has been held, for several years, at the external grounds of the church property. Due to the magnitude of this annual event that attracts a considerable number of people from Harlingen and its vicinity, they would like to request permission to close "C" Street, between Tyler Ave. and Polk Street. This traditional event will begin on Friday, April 12th from 12:00 noon through midnight on Sunday, April 14th, 2024. The closing of the above mentioned street will secure the safety of families and individuals that would normally attend this event.

If approved, barricades are to be delivered and installed by the City of Harlingen Streets Department prior to 12:00 P.M. on Friday, April 12, 2024 and removed from the roadway on April 14, 2024 at 12:00 A.M. midnight. A copy of the map is attached to this IDC.

- Close the south side intersection of Tyler Avenue and C Street.
- Close the alleyway in the 400 block of South C Street.
- Close the north side intersection of Polk Street and C Street.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE	<i>Benito Bravo</i>	3412	03/11/2024
SERGEANT / SUPERVISOR			
COMMANDER / MANAGER	<i>Charles Fitch</i>	8019	3-11-24
DEPUTY CHIEF	<i>W. Sage</i>	1983	3-11-24
ASSISTANT CHIEF	<i>W. Sage</i>	2925	3-12-24
CHIEF OF POLICE	<i>Mark Bruto</i>	2084	3-13-24

ANNUAL FIESTA DE AMISTAD



■ Barricade

Immaculate Heart of Mary Catholic Church

February 28, 2024

Mr. Michael Kester, Chief of Police
Harlingen Police Department
1018 Fairpark Blvd.
Harlingen, Texas 78550



Dear Chief Kester:

The Community of the Immaculate Heart of Mary Catholic Church will be having its **Annual Fiesta de Amistad** on Saturday, April 13th and Sunday, Sunday April 14th of this year.

This event has been held, for many years, at the external grounds of our church property. Due to the magnitude of this annual event that attracts a considerable number of people from Harlingen and its vicinity, we would like to request permission to close "C" Street between Tyler Ave. and Polk Street. This traditional event will begin on Friday, April 12th from 12:00 Noon thru midnight on Sunday, April 14th, 2024. The closing of the above mentioned street will ensure the safety of families and individuals that would normally attend this event.

We would like to thank you and your department in advance, for your kind consideration to our request and for your continuous assistance. Should you have any questions or need additional information, please contact us, at our church office (956) 423-0855.

Sincerely in Christ,

Rev. Robert Charlton, SS.CC
Pastor

412 South "C" Street – Harlingen, Texas 78550 – Phone 956-423-0855

RE: STREET CLOSURE REQUESTS (2)

Ruben Balboa - HFD <rbalboa@harlingentx.gov>

Wed 3/13/2024 3:12 PM

To: Frances Pena - HPD <fpena@harlingentx.gov>; Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>

Good afternoon Ms. Pena,

HFD has no issues with the closing of the streets.

Respectfully,

Ruben C. Balboa
Assistant Fire Chief

Harlingen Fire Dept. / EOC

24200 FM 509

Harlingen, TX 78550

Office 956-230-8056

Cell 956-226-7649



From: Frances Pena - HPD <fpena@harlingentx.gov>

Sent: Wednesday, March 13, 2024 2:25 PM

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 (2)

Good Afternoon Asst. Fire Chief Alvarez:

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

1. IMMACULATE HEART OF MARY CHURCH ANNUAL FIESTA
2. LOGOS COMMUNITY CHURCH VACATION BIBLE SCHOOL

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

Thank you!

Frances Pena

**AGENDA ITEM
EXECUTIVE SUMMARY**

8(b)

Meeting Date: **March 20, 2024**

Agenda Item:

Discussion of two (2) programs the City of Harlingen Animal Shelter wants to implement at the facility to help animals.

Prepared By (Print Name): Shannon Harvill

Title: Environmental Health Director

Signature: 

Brief Summary:

The City of Harlingen Health Department is implementing two (2) new programs for the Animal Shelter. The first program will be the Animal Rescue Organization Application which will allow the shelter work with rescue organizations to find homes for the animals currently being housed at the shelter. The second program is the Foster Program which will be in place once we get people interested in fostering domestic animals in their homes. These programs help the overflow of animals at the shelter.

Funding (if applicable):

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

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

City Manager's approval:

6/6 - No Action

☐ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☐ Yes ☐ No ☐ N/A

Harlingen Animal Shelter Foster Agreement

Foster agrees to provide adequate food, water, shelter, and kind treatment for foster animal(s) at all times. In addition, the foster volunteer must adhere to all state and local animal laws. The foster volunteer agrees to follow all additional written instructions from the shelter.

Foster agrees to keep foster animals indoors, except when walking dogs. Foster Cats are indoor cats only and should never be let outside. Foster dogs should never be left outside unsupervised. When traveling with foster dogs, they must be leashed at all times.

Foster agrees to administer preventatives/medications to foster animal as needed and instructed by shelter staff.

Harlingen Animal Shelter retains all rights and ownership of any animal in the Foster Program, and the Harlingen Animal Shelter has the right to recall any fostered animal to the shelter at any time.

All adoption inquiries about foster animals in your care must be directed to the Harlingen Animal Shelter. Do not make promises to any interested parties. Harlingen Animal Shelter will handle the vetting and approval or denial of all adoption applications.

If the foster wishes to adopt the said animal the foster must go through the shelter adoptions program screening process. The shelter reserves the right to determine final outcome of animals.

The foster volunteer on this contract is agreeing to be the primary caregiver for the foster animal at the address on this contract. Foster caregiver will notify Harlingen Animal Shelter in the event any change occurs in the address or telephone number listed.

Foster caregiver understands and acknowledges that he/she does not have any right or authority to keep the foster animal, place foster animal in other homes or

Harlingen Animal Shelter Foster Agreement

place with other individuals unless permission is granted in writing by the Harlingen Animal Shelter.

In the event that a foster caregiver is going out of town overnight and cannot care for the animal, the foster will contact Harlingen Animal Shelter as soon as possible so that other temporary arrangements can be made. Foster animals cannot be placed in temporary boarding facilities or given to friends/family to temporarily care for without Harlingen Animal Shelter permission.

Foster animal(s) must be returned to Harlingen Animal Shelter as soon as possible upon request by the Harlingen Animal Shelter.

The foster agrees to respond to inquiries from Harlingen Animal Shelter regarding the foster animal as soon as possible. Failure to respond to an inquiry within 24 hours can be grounds for repossession of the animal(s).

Harlingen Animal Shelter may visit a foster home at any time providing that the foster volunteer is given reasonable prior notice (typically 24 hours). Prior notice is not required for the repossession of an animal when a foster volunteer fails to bring the animal back to the Harlingen Animal Shelter as requested or fails to respond to inquiries from Harlingen Animal Shelter.

Foster agrees to notify shelter as to any behavioral or health problems of the animal. The shelter reserves the right to determine the proper course of action to take upon such notification.

Foster agrees to be reasonable accommodating in scheduling meet and greets between the foster and potential adopters. Meet and greets will be scheduled at Harlingen Animal Shelter.

The foster agrees to stay in touch with the Harlingen Animal Shelter on a weekly basis. The foster will send an email each week on your assigned day with news about foster animal. Failing to send an email may result in removal of foster animal from the foster home.

Harlingen Animal Shelter Foster Agreement

Assigned day to send update email: Mondays

Email address to which update should go: animalshelter@harlingentx.gov

Foster will notify Harlingen Animal Shelter immediately if the foster animal exhibits any aggressive behaviors.

Regarding Personal Pets of Foster Volunteer:

All dogs belonging to the foster volunteer must have up to date DHLPP and Rabies and Bordetella and be spayed/neutered.

All cats belonging to the foster volunteer must have up to date FVRCO and rabies vaccines and be spayed/neutered.

Harlingen Animal Shelter facilitates initial introductions between your existing pets and your foster pet. In the event that the pets do not get along well or there are any concerns, Harlingen Animal Shelter reserves the right to deny placement of that foster animal into your home.

Harlingen Animal Shelter is not responsible for any veterinary bills for foster caregiver's personal pets. The foster caregiver assumes responsibility for any veterinary bills that result from foster's personal pet becoming ill or injured due to exposure to foster animal.

Regarding Veterinary Care

Foster volunteer must contact Harlingen Animal Shelter first for all foster animal care needs and questions.

Foster animals should not be taken to any veterinarian unless authorized by Harlingen Animal Shelter in advance.

Harlingen Animal Shelter Foster Agreement

Emergency protocol provided in the foster manual is to be followed at all times. No veterinary expenses will be reimbursed unless authorized in ADVANCE by Harlingen Animal Shelter.

In case of emergency- call the Office at 956-216-5250, the Adoption Coordinator at 956-828-0502 or the Animal Shelter Manager at 956-747-5583.

Depending on the age and health status of the foster animal, veterinary appointments made by Harlingen Animal Shelter, foster is to transport to animal to designated veterinary clinic.

Regarding Supplies

Harlingen Animal Shelter will provide a feeding plan for your foster pet and food for a two-week period.

Other supplies will be provided upon request and availability of supplies.

Any supplies borrowed from Harlingen Animal Shelter must be returned when the animal is no longer in the foster's custody.

Regarding Foster Dog Socializing and Training:

Foster understands that appropriate training and socializing with a foster animal helps to make that animal more adoptable to potential adoptive families. Foster caregivers will make every effort to train and discipline the animal, using positive reinforcement techniques.

Foster caregivers will NOT socialize the foster dog with other dogs until foster dog had ALL required vaccinations. Depend on the age of the dog, the foster animal may already come to foster home with all required vaccines.

Harlingen Animal Shelter Foster Agreement

Foster caregiver recognizes that discipline is important when working with a foster animal. It is important that foster animals receive consistent training and discipline. The better trained the animal, the more adoptable he or she becomes and the more attractive to potential adoptive families.

Crate training is extremely beneficial in making a dog attractive to potential adoptive families and can be extremely helpful for dogs not already house trained.

Foster is undertaking these obligations with no said claim, now or in the future to any type of compensations or reimbursement for caring for said animal.

Fostering Supplemental Information

Feeding Instructions: To be filled in upon fostering based on animal being fostered.

Medications and preventatives Instructions: To be filled in upon fostering based on animal being fostered.

Supplies Borrowed To be filled in upon fostering based on animal being fostered.

I understand that the Harlingen Animal Shelter reserves the right to examine and make inquiry about the foster animal Monday through Friday 8:00am through 6:00pm and Saturday and Sunday 8:00am through 5:00pm. If I fail to keep the animal in accordance with the terms of this agreement, or if I deny the Harlingen Animal Shelter right to examine the animal(s), if I fail to respond to any Harlingen Animal Shelter inquiry, or if I have made any misrepresentation of fact, the

Harlingen Animal Shelter Foster Agreement

Harlingen Animal Shelter may retake custody of the animal(s). Additionally, costs associated with such retaking of custody shall be my sole responsibility. If any medical care is required as a result of any intentional or negligent act of mine, any costs associated with said medical care shall be my sole responsibility.

It is expressed intention of the Harlingen Animal Shelter and the foster caregiver that the release provided for in this paragraph is designed and intended to protect the Harlingen Animal Shelter (and it's members and volunteers) from the consequences of any accident, injury, illness, negligence, attach aggressive or destructive behavior or other action by animal and from the consequences of any act or omission or negligence on the part of the Harlingen Animal Shelter (and its members and volunteers) in obtaining custody of animal in providing care for animal or in failing to provide timely or adequate warning to any person concerning animal. The Harlingen Animal Shelter will use all reasonable efforts to provide accurate information about the animal but as with all living creatures there are no guarantees.

Foster Name (Print)_____

Address _____

Phone Number _____

email address _____

Foster Signature _____

Date _____

Shelter Staff Signature _____

Date _____



City of Harlingen Animal Shelter
1106 Markowsky
Harlingen, TX. 78550



501(c)(3) ANIMAL RESCUE ORGANIZATION APPLICATION INSTRUCTIONS

All 501(c)(3) Animal Rescue Organizations wishing to rescue animals from the City of Harlingen Animal Shelter must meet the requirements for a 501(c)(3) Animal Rescue Organization are as follows:

- The Animal Rescue Organization must completely fill out the application and it is to be signed by two (2) officers of the organization.
- Provide proof they are an officer of the Animal Rescue Organization.
- Provide a copy of IRS paperwork showing they are a 501(c)(3).
- Designate two members that will conduct all rescues, providing all required information in the application.

Once the Animal Shelter Program has received the application, it will be reviewed for proper documentation and completion. Notification will be sent of approved rescue group, or that the application was incomplete or the 501(c)(3) status cannot be confirmed and the organization may not qualify.

The Rescue Process

- On the animal's evaluation date your representative can request the animal under the Program's 501(c)(3) Animal Rescue Organization Adoption Program.
- Animals that are a danger to the public will not be allowed for rescue.
- The rescue will be completed with the Program's staff at the time of the request.
- Provide the location that each animal being rescued is going to be housed at the time of pick up.
- The animal shall be picked up by the 501(c)(3) Animal Rescue Organization on the date of the stipulated by the City of Harlingen Animal Shelter Staff.
- The 501(c)(3) Animal Rescue Organization shall ensure that the animal gets vaccinated against rabies, receives its first set of inoculation shots, and is spayed or neutered by a licensed veterinarian, if not already completed.
- Complete the *City of Harlingen Animal Shelter Sterilization Agreement*.

The Rescue Process

City of Harlingen Animal Shelter *1106 Markowsly * Harlingen, Texs 78550



City of Harlingen Animal Shelter
1106 Markowsky
Harlingen, TX. 78550



(Continued)

- The 501(c)(3) Animal Rescue Organization shall submit written confirmation signed by the veterinarian who performed the sterilization. Failure to alter the animal will result in the 501(c)(3) Animal Rescue Organization being excluded from rescuing animals through the 501(c)(3) Animal Rescue Organization Program for a period of twelve months.

Does your organization wish to be on the public list of 501(c)(3) Animal Rescue Organizations available to our customers? ☐ Yes ☐ No

Organization certifies that all information provided is true, complete, and correct. Organization will assure the humane treatment of all animals released to it and agree to remain in compliance with local and state laws as they pertain to code compliance and humane animal care.

Further, Organization agrees to assume any and all risks of injuries, permanent or partial disability, or death and damages caused by these animals.

Organization hereby releases, waives, discharges and relinquishes City of Harlingen and their officers, employees, and agents from any liability, loss, damage, claim, demand, or cause of action against them attributable to the actions of these animals.

Organization agrees to hold harmless and to indemnify City of Harlingen and their officers, employees, and agents from any loss or claim (including reasonable attorneys' fees) in connection with the actions of the animal and to defend any claims or actions against the City of Harlingen and their officers, employees, and agents which may arise out of the actions of this animal.

Organization Name: _____
("Organization")

501 (c)(3) ID#: _____
(attach copy)

Address: _____ City: _____ State: _____
Zip: _____

Telephone #: _____ Fax #: _____

Website: _____

Primary Contact Person: _____

Email: _____



City of Harlingen Animal Shelter
1106 Markowsky
Harlingen, TX. 78550



501(c)(3) ANIMAL RESCUE ORGANIZATION APPLICATION FORM

(Page #1)

Type of Animals Under Jurisdiction of Organization

Species/Breeds:

IMPORTANT: THIS DOCUMENT RELIEVES CITY OF HARLINGEN, AND THEIR OFFICERS, EMPLOYEES AND AGENTS FROM LIABILITY FROM PERSONAL INJURY, WRONGFUL DEATH, AND PROPERTY DAMAGE CAUSED BY THIS ANIMAL. I HAVE READ THIS DOCUMENT, UNDERSTAND IT, AND SIGN VOLUNTARILY.

Date: _____ (Signature)

(Print Name)

(Title)

Date: _____ (Signature)

(Print Name)

(Title)

For office use only

Date Received:	Control #:	Date Reviewed:
Reviewed by:		
501c3 Received:	Reference Check Completed:	

South Texas Emergency Care Foundation, Inc.
1705 Vermont St
Harlingen TX 78550



CITY OF HARLINGEN EMS CALL SUMMARY

Reporting Period: September 1, 2023 – December 31, 2023

REPORT BASED ON THE CONTRACT TERMS

- Total of STEC's emergency and non-emergency responses to calls originating in Harlingen for the reporting period
- Total number of emergency responses originating in Harlingen which did not result in the transport of a patient
- Date and general nature of the calls
- Average response time by STEC for emergency calls, which resulted in a transport of patient, together with any explanation for response times exceeding 10 minutes
- For non-emergency transports, explanation of response times exceeding 45 minutes measured from the scheduled time, if any, of patient pick-up or from the time of dispatch for transports without scheduled time of patient pick-up

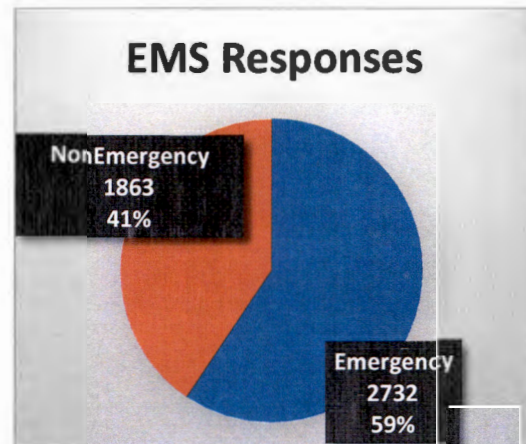
Under the contract, STEC is not required to include in this report any information which STEC is prohibited from disclosing by any federal or state law or regulation including HIPAA or applicable provisions of the Texas Health and Safety Code (the "Code"). For that reason, this report includes summaries of information and does not include information regarding any individual emergency or non-emergency response by STEC which might enable a patient to be identified.

STEC is a "covered entity" as that term is defined in the Code and in the regulations promulgated under HIPAA. Although STEC has taken care in this report not to identify individual patients or to include information regarding individual responses which might be used to identify individual patients, this report does contain information that reflects health care provided to individuals by STEC (i.e., protected health information as defined by the Code). Section 552.002(d) of the Texas Government Code (the "Texas Public Information Act" or the "Act") excludes protected health information from the requirements of the Act.

Additionally, this report includes proprietary information which reveals STEC's work, staffing, internal operations, and processes which would give advantage to competitors. The information relates to services provided by STEC to patients and, pursuant to separate contracts, to hospitals, skilled nursing facilities, and other health care providers.

City of Harlingen EMS Responses:

- Total EMS Responses: 4,595
- Total Emergency Responses: 2,732
(Average of 30 Responses per day)
- Total Non-Emergency Responses: 1,863
(Average of 20 Responses per day)

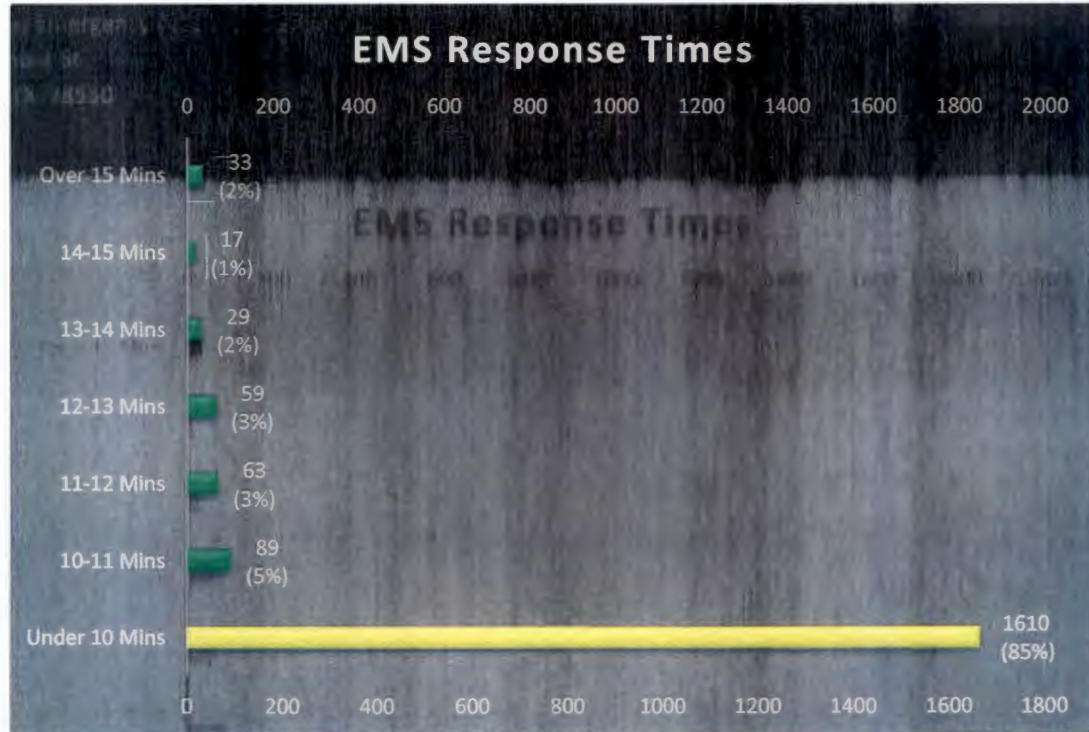


Emergency Response Time Statistics:

- Overall Average Emergency Response Time which Resulted in a Transport of a Patient: 07:10 Minutes
- 832 or 30.5% of all Emergency Responses either were canceled before STEC's arrival at the scene or resulted in a non-transport of the patient ¹
- Number of Responses at 10 minutes or less resulting in the transport of a patient: 1,610
- Total number of Responses at 10 minutes or less and responses which were canceled before STEC's arrival at the scene or did not result in transport of a patient: 660 or 24.2% of all Emergency Responses during the reporting period
- Number of Responses Over 10 Minutes (excluding responses which did not result in transport of a patient): 290 or 10.6% of all Emergency Responses during the reporting period. Of those 290 responses, 214 or 73.8% resulted from causes beyond STEC's control. (see detailed summary of explanation of causes below)
- The average of all Emergency Responses over 10 minutes which resulted in transport of a patient was 12:28 minutes

¹ A non-transport may occur if (i) the condition of the patient is resolved at the scene and no longer requires transport, (ii) the patient refuses transport, (iii) the patient has left the scene before STEC's arrival, (iv) the patient is deceased at the scene or before STEC arrives at the scene, or (v) a variety of other reasons.

South Texas Emergency Care Foundation, Inc.
 1705 Vermont St
 Harlingen TX 78550



SUMMARY OF DATES AND NATURE OF EMERGENCY AND NON-EMERGENCY CALLS

Dates of Calls:

<u>Date</u>	<u>Number of Calls</u>	<u>Date</u>	<u>Number of Calls</u>
10/1/2023	27	10/16/2023	41
10/2/2023	44	10/17/2023	65
10/3/2023	62	10/18/2023	51
10/4/2022	46	10/19/2023	61
10/5/2023	79	10/20/2023	63
10/6/2023	43	10/21/2023	41
10/7/2023	39	10/22/2023	39
10/8/2023	38	10/23/2022	57
10/9/2023	44	10/24/2023	46
10/10/2023	71	10/25/2023	70
10/11/2023	51	10/26/2022	62
10/12/2023	56	10/27/2023	69

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 1705 Vermont St
 Harlingen TX 78550



10/13/2023	54	10/28/2023	35
10/14/2023	50	10/29/2023	52
10/15/2023	48	10/30/2023	39
		10/31/2023	38
		Total	1581

<u>Date</u>	<u>Number of Calls</u>	<u>Date</u>	<u>Number of Calls</u>
11/1/2023	37	11/16/2023	46
11/2/2023	56	11/17/2023	61
10/3/2023	46	11/18/2023	34
11/4/2022	36	11/19/2023	38
11/5/2023	34	11/20/2023	41
11/6/2023	56	11/21/2023	55
11/7/2023	52	11/22/2023	52
11/8/2023	52	11/23/2022	45
11/9/2023	51	11/24/2023	54
11/10/2023	66	11/25/2023	47
11/11/2023	50	11/26/2022	40
11/12/2023	37	11/27/2023	52
11/13/2023	57	11/28/2023	50
11/14/2023	44	11/29/2023	54
11/15/2023	78	11/30/2023	64
		Total	1485

<u>Date</u>	<u>Number of Calls</u>	<u>Date</u>	<u>Number of Calls</u>
12/1/2023	63	12/16/2023	55
12/2/2023	53	12/17/2023	33
12/3/2023	48	12/18/2023	43
12/4/2022	51	12/19/2023	47
12/5/2023	67	12/20/2023	35
12/6/2023	56	12/21/2023	44
12/7/2023	48	12/22/2023	60
12/8/2023	59	12/23/2022	51
12/9/2023	45	12/24/2023	36
12/10/2023	43	12/25/2023	33
12/11/2023	42	12/26/2022	59
12/12/2023	56	12/27/2023	53
12/13/2023	50	12/28/2023	48
12/14/2023	47	12/29/2023	63

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12/15/2022	60	12/30/2023	39
		12/31/2023	42
Total			1529

Total Calls 4595

Nature of Calls at Dispatch:

Nature of Call at Dispatch	Totals	Percent of Totals
Abdominal Pain/Problems	103	2.2%
Allergies/Hives/Med Reactions/Stings	9	0.2%
Animal Bites/Attacks	6	0.1%
Assault/Rape	40	0.9%
Back Pain (Non-traumatic)	35	0.8%
Breathing Problems	243	5.3%
Burns/Explosion	3	0.1%
Carbon Monoxide/Inhalation/HazMat	4	0.1%
Cardiac/Respiratory Arrest	31	0.7%
Chest Pain	162	3.5%
Choking	6	0.1%
Convulsions/Seizures	111	2.4%
Diabetic Problems	45	1.0%
Electrocution	1	0.0%
Eye Problems/Injuries	4	0.1%
Falls/Back Injuries (Traumatic)	379	8.2%
Fire	1	0.0%
Headache	21	0.5%
Heart Problems	35	0.8%
Heat/Cold Exposure	1	0.0%
Hemorrhage/Lacerations	80	1.7%
Medical Alarm	18	0.4%
No Other Appropriate Choice	19	0.4%
Overdose/Ingestion/Poisoning	26	0.6%
Pregnancy Childbirth/Miscarriage	9	0.2%
Psychiatric/Suicide Attempt	85	1.8%
Sick Person (Specific Diagnosis)	827	18.2%
Stab/Gunshot Wound	8	0.2%
Standby	62	1.3%
Stroke (CVA)	38	0.8%
Traffic Accidents	331	7.2%

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Traumatic Injuries (Specific)	39	0.8%
Transfer/Interfacility/Palliative Care	1657	36.0%
Unconscious/Fainting (Non-traumatic)	116	2.5%
Unknown Problem (Man Down)	40	0.9%
Total	4595	100%

EMS RESPONSE TIME EXPLANATION OVER 10 MINUTES

Response Explanation Summary (# of Responses and % of Responses over 10 minutes)

	Trips	% of Total	
Call Assigned During Crew Change	2	0.7%	
Distance to Scene	26	9.0%	
Fueling Ambulance	3	1.0%	
Home/Building Not Clearly Identifiable	2	0.7%	
Mechanical Issue-Unit, Equipment, etc.	15	5.2%	
No Lights or Siren Approach	3	1.0%	
Did Not Check-Out At Scene	37	12.8%	
Responded from Out-of-Zone	141	48.6%	
Resupplying Ambulance for Compliance	7	2.4%	
Route Obstruction (e.g., train, construction)	6	2.1%	
Scene Safety (Not Secure for EMS)	5	1.7%	
Staff or Vehicle Preparation Issues	11	3.8%	
Traffic	25	8.6%	
Vehicle Failure of this Unit	1	0.3%	
Weather Conditions	6	2.1%	
Total	290	100.0%	
Conditions or Reasons Beyond STEC's Controls	Total	214	73.8%

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Harlingen TX 78550



The category labeled “Responded Out-of-Zone” includes those occasions when the ambulance (or ambulances) based at the station nearest to the scene is already responding to another call or delayed at a hospital and is not immediately available. On those occasions, STEC’s dispatchers will assign the call to the next closest available ambulance and crew which will necessarily be at a greater distance from the scene.

EMS RESPONSE TIME EXPLANATION FOR NON-EMERGENCY RESPONSES OVER 45 MINUTES

Of the 1863 nonemergency transports, there were only four (4), less than 0.21%, which were more than the 45-minute threshold. The response times for all of those transports were the result of circumstances that were not within STEC’s control.

Two (2) trips were trips of three legs which required STEC to dispatch a ground ambulance to VIA (1st leg) to meet a fixed wing air ambulance to pick up a specialty EMS crew and their specialized equipment and then to a Harlingen hospital to pick up a patient (2nd leg) and then to return by ground ambulance to VIA (3rd leg) for transport by fixed wing air ambulance to a healthcare facility out of the Rio Grande Valley. These responses required a total time that exceeded 45 minutes. The logistics of picking up and transferring specialty crews and equipment from an out of the Valley healthcare facility more often than not require 45 minutes or more from the beginning dispatch to the end delivery of the patient to the outgoing aircraft at VIA.

The two (2) other trips were destinations outside the City of Harlingen. One trip was to Raymondville, and the other to Brownsville. Both trips required additional fuel, which resulted in an extended response time.

<u>Date</u>	<u>Start Time</u>	<u>Stop Time</u>	<u>Response Time</u>	<u>Explanation</u>
10/5/23	19:14:37	20:06:05	00:51:28	Ambulance Fueling
10/12/23	16:29:33	17:15:03	00:45:30	Ambulance Fueling
11/13/23	22:46:55	23:36:37	00:49:42	Plane Arrived Late
11/24/23	22:28:37	23:35:19	01:06:42	Plane Arrived Late

STEC has increased resources for non-emergency transports by adding a basic life support (BLS) ambulance and personnel which are available for seventy (70) hours per week. As a result, the additional resources, together with vehicles and personnel already dedicated primarily to non-emergency transports, have improved the timeliness and efficiency of STEC’s responses and addressed concerns expressed by STEC and hospital and skilled nursing facility representatives.

EXECUTIVE SUMMARY

Meeting Date: **March 20, 2024**

Agenda Item:

Public hearing for a rezoning request from Residential, Duplex ("R-2") District to Residential, Multi-Family ("M-2") District for a 0.572-acre tract, being all of Lot 6 and 0.113 acres out of Lot 7, West Subdivision, located at 1605 N. 7th Street. Applicant: Mario and Norma Linan. (**Planning & Development**)

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- September 5, 2023 – Application for rezoning submitted to the City (**ATTACHMENT I**).
- September 12, 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.
- September 16, 2023 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- September 27, 2023 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z). (The item was tabled by the P & Z Commission)
- February 28, 2024 - Consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- March 9, 2024 – 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.
- March 9, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- March 20, 2024 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 3, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicants are requesting to rezone the subject properties from Residential, Duplex, ("R-2") District to Residential, Multi-Family ("M-2") District to allow for a third structure on the property. (**ATTACHMENT I**).
- The subject property, located at the southwest corner of 7th Street and Village Drive, is measured 190 feet x 100 feet x 144 feet. Currently, the two structures

have been attached as a duplex, with a gross building area of 3,967 square feet.
(ATTACHMENT III)

- The surrounding properties are zoned Residential, Single-Family ("R-1") to the north and east and Residential, Mobile Home ("MH") to the south and west. Surrounding land uses include single family residences to the north and south, Harlingen High School to the east, and mobile homes to the west.

(ATTACHMENT IV)

- The Future Land Use Plan (FLUP) component of the City of Harlingen's Vision 2020 Comprehensive Plan shows this area as low density residential. While the request is not generally consistent with the Future Land Use Plan or the surrounding land uses, Planning staff believes the area is going through a transition, and therefore recommends approval of the rezoning request. **(ATTACHMENT VI).**
- The rezoning request was tabled at the September 27, 2023, Planning & Zoning Commission meeting. As stated above, the applicants have brought the structures into compliance with the current zoning. **(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 ☐ 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

PLANNING & ZONING COMMISSION

September 27, 2023

Public hearing and take action to consider a request to rezone from Residential, Duplex ("R-2") District to Residential, Multi-Family ("M-2") District for a 0.572 acre tract, being all of Lot 6 and 0.113 acres out of Lot 7, West Subdivision, located at 1605 N. 7th Street. Applicant: Mario and Norma Linan

City Planner Sol Nunez presented the proposed rezoning before the Board. She provided information about the subject property as follows:

- Currently the property has two detached duplexes and they want to add a 3rd structure there.
- The property is located at the Southwest corner of 7th Street and Village Drive. Ms. Nunez referred to the slides to view the duplexes from 7th street and the one fronting Village Drive.
- The gross building area is 3,967 square feet.
- The surrounding properties are zoned Residential, Single-Family ("R-1") and Residential, Mobile Home. The surrounding land uses include single family residential homes, Harlingen High School, and mobile homes. Ms. Nunez referred to the slides to indicate these in relation to the subject property.
- The Future Land Use Plan component of the City of Harlingen's One Vision, One Harlingen, shows this area as low density residential
- While the request is not consistent with the Future Land Use Plan, planning staff does believe the area is in a period of transition, so they are recommending approval of the rezoning request.
- Property owners within 200-feet received a notification. No calls of opposition were received.
- Village Drive is classified as a local road, with 50-feet of right-of-way, while 7th Street is classified as a major collector with 80-feet of right-of-way and is a 2-lane roadway with 37 feet asphalt, which could support an increase in traffic.

Ms. Nunez asked if there were any questions for staff. Chairman Consiglio reiterated.

Cmr. Sanchez indicated that it seemed from the slides that the existing structures were two separate units. Ms. Nunez confirmed. She said there is one unit facing 7th Street and the other facing Village Drive. Cmr. Sanchez asked if being zoned R2, shouldn't the structures have been joined? He asked if they were in compliance currently. The staff confirmed that they were separate structures. Cmr. Sanchez asked if being rezoned as M2, multi-family, if they would take this opportunity to come into compliance and be all joined together. Mr. Cervantes said they would install a sprinkler system because that is a requirement for being more than 2 units together in one building. The applicant will have to come in and submit plans and comply with the building and fire codes to get permits for the 3rd unit.

Mr. Cervantes indicated the subject property was rezoned from R1 to R2 last year. He said the property owners fixed the existing buildings which were in terrible conditions and now they would like to add a 3rd unit.

Chairman Consiglio asked if these were still in construction. He said there was no driveway. Ms. Nunez said the two duplexes are finished. Mr. Linan said there are driveways for both. Ms. Nunez pointed to the location of these out on the slides.

Chairman Consiglio asked if there were any further questions for staff. Hearing none, he moved to the Public hearing.

He asked if anyone would like to speak on this item, for or against. Hearing none, the Chairman closed the Public Hearing. He indicated the applicant was present and could answer questions as well.

Cmr. Sanchez indicated he had a comment. He said that if the rezoning takes place, the opportunity should be taken to bring everything into compliance. Mr. Cervantes stated they will have to with the new construction.

Chairman Consiglio asked why they were out of compliance now. Mr. Cervantes said he is not sure. He said they were old buildings that were fixed that were separated way back. The Chairman indicated they just approved a rezoning with current structures that should have been joined. The Chairman cited the public interest and protecting the public and said these things need to be done in compliance.

Mr. Linan approached the podium. He started by saying that any homes that have those colors are theirs. They said they have been investing in Harlingen because they want to do it here. Its people like them (he looked over at the planning staff) that are trying to help them out. He said they are from San Benito and came over here to put their taxes here, electing to do that. He said they have been doing this for a while and that these are not their only homes here in this town. He said that the one particular home was one building; that it used to be Mid-Valley which is where all the alcoholics used to have their meetings. He said it basically used to be a commercial building. He went to the Planning and Zoning Board and wanted to make two homes out of that one building. He said they ended up removing part, where it used to be attached. He said they got a permit to do one first. He said they got one done and then they got a permit to do the other one. He said their goal is to put another unit. He said he thinks that by adding a brand new one on that corner, it is going to revitalize everyone there on 7th Street. He said it is right across from the high school and it does have a concrete slab for parking. He said everything is by code – that they had to get permits; that inspectors went over there and inspected their work; that they had to get windstorm on those roofs, and they are up to par. Ms. Linan said she didn't know if they (the Board) saw the properties before. She said they were a huge eyesore and that everyone that went to Harlingen High School would pass by every day and it was awful. She said the building was run down and the roof was caving in and shrubs everywhere. She repeated it was awful, saying she was being honest. She asked who would want that and said that compared to what it was then to now. She said she wasn't kidding when she said they had hundreds wanting to rent there as soon as it was listed because it was close to the schools. She said it isn't hard to find renters here in Harlingen and that everyone wants to be near to those schools.

Chairman Consiglio asked if there were any more questions for the applicant. No further questions were asked. He thanked the applicants.

Chairman Consiglio asked if there was a motion. Cmr. Gamez asked if they could go back to discussion. Mr. Gamez addressed Mr. Cervantes. He referred to Mr. Linan's statement and stated that the two current buildings used to be one building when the rezoning passed a year ago. He asked how the owners were able to separate one building into two when R2 is supposed to be connected. Mr. Cervantes said he didn't know and would need to review and do an investigation of what happened. Cmr. Gamez stated they are not complaining about how the houses look and are. He said they are going as per codes and recommendations that the Board is out here making sure are enforced. He said this was a perfect example, year to date, that there was no follow-through. Cmr. Gamez said it was not the applicant's fault but that this is a comment that needs to be thrown out there because now they are looking at a M-2 zoning and what those recommendations are going to be so that the applicant can make this a M-2. Cmr. Gamez asked if the 3rd building will need to connect or if all three should be connected. And then depending, coming up with a plan for the reconfiguration.

Cmr. Cruz-Velasquez indicated she had the same questions and also wanted to comment. She asked how this was allowed. She also said she disagreed with Cmr. Gamez on one point, that the applicant is at fault because they should know what is approved for them. Cmr. Cruz-Velasquez asked if they would be in compliance if the rezoning to M2 is approved. Mr. Cervantes said that they have the certificate of occupancy for the two existing buildings and they are good and that the rezoning to M-2 is before them because they have the space and want to add a 3rd unit. Cmr. Cruz-Velasquez said she understood that and also added thanking the applicants for beautifying the city. She continued saying she wanted to make sure she understood this. She asked to confirm, if upon approval of the rezoning, that the two existing buildings would no longer need to be connected. Mr. Cervantes said no and then explained that for the 3rd unit and 3rd permit, the building official will require compliance with building and fire codes. Cmr. Cruz-Velasquez commented that she didn't know how this gets sanctioned or fined. She asked what happens. Mr. Cervantes said that the City issued the permit so it may have

been an oversight by the Building Official. He said that if they wanted, they could table the item and he can have the Building Official come in and address how he will process the 3rd unit if the rezoning is approved. Chairman Consiglio remarked that the Commission was elected to rezone. He asked how they would make sure the applicants are compliant for "C" Street as well. Mr. Cervantes said they can add to the existing unit and the structures be together or the existing unit could be demolished and a brand new duplex be built. He said there were options. He said it could be this owner or a new owner.

Mr. Linan asked to speak. He said that when they first started this project, they actually wanted an M-2 zoning designation but that they would take anything. He said it was approved as a R-2 which he said meant two (2) "residential" or two (2) dwelling units. He said that they both have their own electrical meters independently and they both have independent sewers. He added that they both have independent meters for the water. He said that as far as he knows, they are trying to convert to a multi-family which is a M-2, which is a 3rd building or 3rd house. Chairman Consiglio asked Mr. Linan if he had an issue working with staff to become compliant because he is outside of compliance now. The Chairman asked if he would work with the City to come into compliance. Mr. Linan said they have always worked with the City and are always willing to work with the officials. Chairman Consiglio asked if he was willing to get the current buildings compliant to the current zoning. Mr. Linan said okay and yes. He said that if the rezoning was changed to M-2 they would be in compliance. Ms. Linan added that they were unaware they were not in compliance. Chairman Consiglio told them their two structures need to be attached as per the current zoning. The Chairman then said this could be fixed with the current rezoning request. Cmr. Cruz-Velasquez said that was her point. Chairman Consiglio opened the floor for Mr. Cervantes. Mr. Cervantes said that we can deal with the existing structures separately, to get it fixed the way it is supposed to be. He then said the new zoning request should be a separate matter. He continued and asked if the Board is willing to accept a 3rd unit on the property.

Cmr. Sanchez asked to confirm that under M-2 re-zoning if a 3rd unit would be allowed on the property and would not need to be attached; that the change would bring all three (3) structures into compliance. Chairman Consiglio asked if this was correct. Mr. Cervantes said there were different options and said that the existing structures could be demolished and there could be a brand new triplex in the property. Chairman Consiglio and Cmr. Sanchez both remarked that this was not what was happening here. Mr. Cervantes said to keep that in mind; that it could be a new owner next year that demolishes everything and builds a brand new triplex. Chairman Consiglio said the concern was right now, with the current R-2 zoning and being out of compliance because the structures are not connected. He asked if the Board changing the zoning to M-2 helped them so that they are in compliance and allows them to continue developing the property as they like. Mr. Cervantes said that, in his opinion, it was a separate issue about getting them to connect. Chairman Consiglio asked to confirm that they wouldn't need to connect with the rezoning request and that this was the question. Cmr. Cruz-Velasquez said that was her question too.

Mr. Linan addressed the Board. He said that on that particular lot, it is on one (1) lot. He said they did one in San Benito and they had to rezone it from a R-2 to a multi-family too and that the change would connect all of them on that zone. But in Harlingen, like everything else, he said he knows it works differently. He said that what they are trying to do is, because there is enough land there, is add a 3rd building on there. Chairman Consiglio told him they were just trying to understand if approving the rezoning request allows them to stop operating out of compliance and that they are just looking for an answer. He asked if by rezoning they were compounding the issue and if it creates a continuation of a problem. Mr. Cervantes responded by saying, "Not necessarily". Mr. Cervantes said that if everything gets demolished then they will have a new triplex. Cmr. Cruz-Velasquez remarked that he kept saying that. At this point Cmr. Sanchez asked to make a motion. Cmr. Sanchez said he would like to move to table the item and allow for the Building Official be present at the next meeting to explain how this came about under a zoning of R-2 and then how he would address the new structure being added to this development under the zoning of M-2. Cmr. Clinton-Solis seconded the motion. Mr. Linan indicated this was fine with them and they were not in a hurry. The Chairman thanked and appreciated the applicant.

Chairman Consiglio took the motion to a vote. The motion to table passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(b)

Meeting Date: **March 20, 2024**

Agenda Item:

Public hearing for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 301 West Filmore Avenue, bearing a legal description of Lot 6, Block 130, Harlingen Original Townsite. Applicant: Juan Ramon. Attachment (***Planning & Development***)

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

Brief Summary:

Project Timeline

- February 20, 2024 – Application for rezoning submitted to the City. (**ATTACHMENT I**)
- February 26, 2024 – 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.
- March 2, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- March 13, 2024 – Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- March 20, 2024 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 3, 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 southwest corner of West Filmore Avenue and South "B" Street, has a width of 50 feet and a depth of 150 feet. There is an existing 1,885 sq. ft. single-family residence on the subject property, and an existing 342 sq. ft. detached structure that was built without permits. (**ATTACHMENT III**)
- If the rezoning is approved, the applicant will work on connecting the dwelling units as required by the Zoning ordinance. In addition, the applicant will submit engineering reports to legalize the structure that was built without proper permits.
- The surrounding properties are zoned Residential, Single-Family ("R-1") to the north, south, east, and west. Surrounding land uses include single family

residences to the north, east, south, and west of the subject property.
(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 ☐ 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: *6/6* ☒ Yes ☐ No ☐ N/A

Comments:

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

9(c)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Public hearing for a rezoning request from Residential, Single Family ("R-1") to Residential, Duplex ("R-2") District for Lots 136 and 137, Block 2, Avondale Subdivision, located at 2113 and 2115 Barcelona Avenue. Applicant: Homero D. Guerra. Attachment **(Planning & Development)**

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

Brief Summary:

Project Timeline

- February 21, 2024 – Application for rezoning submitted (**ATTACHMENT I**).
- February 26, 2024 – 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.
- March 2, 2024 – In accordance with Statute and local law, notice of required public hearings published in the Valley Morning Star and mailed to all property owners within 200 feet of subject tract
- March 13, 2024 – Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- March 20, 2024 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 4, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Homero D. Guerra, the applicant and property owner 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 subject properties.
- The subject properties consist of two lots. One of the lots is currently vacant, and the other lot has an existing single family residential structure on the property. Both of the subject properties have 50 ft. of frontage on Barcelona Avenue and a depth of 140 feet. As mentioned above, the developer is proposing a duplex on the vacant lot, and on the second lot the developer is proposing to add another unit to the existing single family residential structure. (**ATTACHMENT II**).
- The surrounding properties are zoned Residential, Duplex ("R-2") District to the north, Residential, Single Family ("R-1") District and General Retail ("GR") District to the south, Residential, Single Family ("R-1") to the east and General Retail ("GR") District to the west (**ATTACHMENT II**). Surrounding land use consists of duplexes to the north, single family residence and a mechanic shop to the south, single family residence to the east, and church to the west. (**ATTACHMENT V**).

- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision, One Harlingen shows this area as low density residential. A duplex use is considered low density residential. Therefore, the request is consistent with the Future Land Use Plan and also consistent with the duplex land use to the north of the subject property. **(ATTACHMENT VI)**.
- To the present, the Planning and Development Department has not received any calls in opposition to the requested rezoning from surrounding property owners.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(d)

Meeting Date:	March 20, 2024
	Agenda Item:
Public hearing for the voluntary annexation of an 18.788-acre tract of land out of Block 33, David and Stephenson Subdivision, located along the east side of Crossett Road approximately 3,260 feet north of Loop 499. Applicant: River Creek Management, LLC. Attachment (Planning & Development)	
Prepared By: Xavier Cervantes, AICP, CPM Title: Planning and Development Director Signature: <i>Xavier Cervantes</i>	
Brief Summary:	
<u>Project Timeline</u> • <u>February 3, 2024</u> – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star. • <u>February 28, 2024</u> – Public hearing to recommend the annexation by the Planning and Zoning Commission. • <u>March 6, 2024</u> – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading. • <u>March 20, 2024</u> – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.	
<u>Summary</u> • The property owner has requested the voluntary annexation of 18.788 acres of land (Attachment I). The property has frontage along Crossett Road and is contiguous to the city limits via the west side of Crossett Road that was annexed to the city limits in the year 1980 (Attachment V). • The property owner is proposing a single-family residential development at the site and finds it beneficial for the property to be within city limits. If successful with the rezoning the developer plans to subdivide the property into multiple lots. The south one-half of the subdivision is proposed to be within Harlingen city limits while the north one-half will be within the city limits of Combes (Attachment VI). • Water and sewer for this subdivision will be provided by Harlingen Waterworks System. The costs to connect the property to the city water and sanitary sewer system will be at the developer's expense. • The developer will be processing a Planned Development ("P-D") district zoning soon after the annexation process is completed. During the rezoning process legal notices will be mailed to all property owners within 200 feet of the subject property. The legal notices will be mailed to the property owners within the city limits only.	

- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(e)

Meeting Date: **March 20, 2024**

Agenda Item:

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 XIII, Section 111-62, Use Chart, by establishing the boundaries of the major commercial corridors, and prohibiting the car wash use in the said major corridors due to safety. 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

- February 3, 2024 - In accordance with State and local law, notice of the required public hearings published in the Valley Morning Star.
- February 28, 2024 – Public hearing and consideration of the ordinance amendment by the Planning and Zoning Commission (P&Z).
- March 6, 2024 – Public hearing and consideration of the ordinance amendment scheduled before the City Commission. The item was tabled.
- March 20, 2024 Consideration of the ordinance amendment on 1st reading.
- April 3, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- This ordinance prohibiting new car wash facilities along certain major commercial corridors is being proposed due to safety concerns.
- After consulting with the Police Chief he agrees that the traffic in-and-out of these facilities create safety issues for the motorists traveling along certain major commercial corridors due to the conflict points generated.
- The proposal is to define the major commercial corridors as Interstate 2 (Expressway 83), Interstate 69E (Expressway 77), Ed Carey Boulevard, Loop 499, Tyler Avenue and Harrison Avenue (**Attachment I**).
- There is language in the ordinance that exempts from the regulations car washes that are a component of a convenience store.
- Any existing, or under construction, car wash facility along these corridors would be considered legal non-conforming uses (grandfathered).
- An alternative ordinance has been drafted making new car washes special uses for the City Commission's consideration.

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

EXECUTIVE SUMMARY

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Duplex ("R-2") District to Residential, Multi-Family ("M-2") District for a 0.572-acre tract, being all of Lot 6 and 0.113 acres out of Lot 7, West Subdivision, located at 1605 N. 7th Street. Applicant: Mario and Norma Linan. Attachment (**Planning & Development**)

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- September 5, 2023 – Application for rezoning submitted to the City (**ATTACHMENT I**).
- September 12, 2023 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 foot radius of subject tract.
- September 16, 2023 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- September 27, 2023 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z). (The item was tabled by the P & Z Commission)
- February 28, 2024 - Consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- March 9, 2024 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 foot radius of subject tract.
- March 9, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- March 20, 2024 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 3, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicants are requesting to rezone the subject properties from Residential, Duplex, ("R-2") District to Residential, Multi-Family ("M-2") District to allow for a third structure on the property. (**ATTACHMENT I**).
- The subject property, located at the southwest corner of 7th Street and Village Drive, is measured 190 feet x 100 feet x 144 feet. Currently, the two structures

have been attached as a duplex, with a gross building area of 3,967 square feet.
(ATTACHMENT III)

- The surrounding properties are zoned Residential, Single-Family ("R-1") to the north and east and Residential, Mobile Home ("MH") to the south and west. Surrounding land uses include single family residences to the north and south, Harlingen High School to the east, and mobile homes to the west.

(ATTACHMENT IV)

- The Future Land Use Plan (FLUP) component of the City of Harlingen's Vision 2020 Comprehensive Plan shows this area as low density residential. While the request is not generally consistent with the Future Land Use Plan or the surrounding land uses, Planning staff believes the area is going through a transition, and therefore recommends approval of the rezoning request. **(ATTACHMENT VI).**
- The rezoning request was tabled at the September 27, 2023, Planning & Zoning Commission meeting. As stated above, the applicants have brought the structures into compliance with the current zoning. **(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 ☐ 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:

GG

☒ 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 INFORMATION: (Please PRINT or TYPE)

Project Address 1605 N 7th St Nearest Intersection Village Dr & 7th St
(Proposed) Subdivision Name Harlingen - JH West Lot 6 Block
Existing Zoning Designation R2 Future Land Use Plan Designation M2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Mario Linan Phone 956 534-4357 FAX
Email Address (for project correspondence only): N Linan 65 @ Gmail.com
Mailing Address 1160 Combes St City San Benito State TX Zip 78586
Property Owner Mario & Norma Linan Phone 956 245-8286 FAX
Email Address (for project correspondence only): N Linan 65 @ Gmail.com
Mailing Address Same City State Zip

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

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

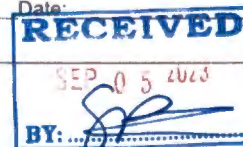
Please provide a basic description of the proposed project: I request to rezone from R2 to M2.

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: Mario Linan Date: 9/5/23

Property Owner(s) Signature: Norma Linan Date: 9/5/22

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 map and boundary description showing site of the subject property and the rezoning 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 I will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance with State law and the zoning Ordinance, no later than 100 (100) 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 rezoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner

Mario & Norma Linares

Date

9/5/23

Owner Address

24511 Hudson Rd

San Benito TX

Phone/Fax

(956) 245-8254

(956) 634-4351

Signature

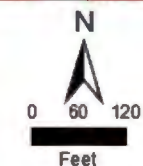
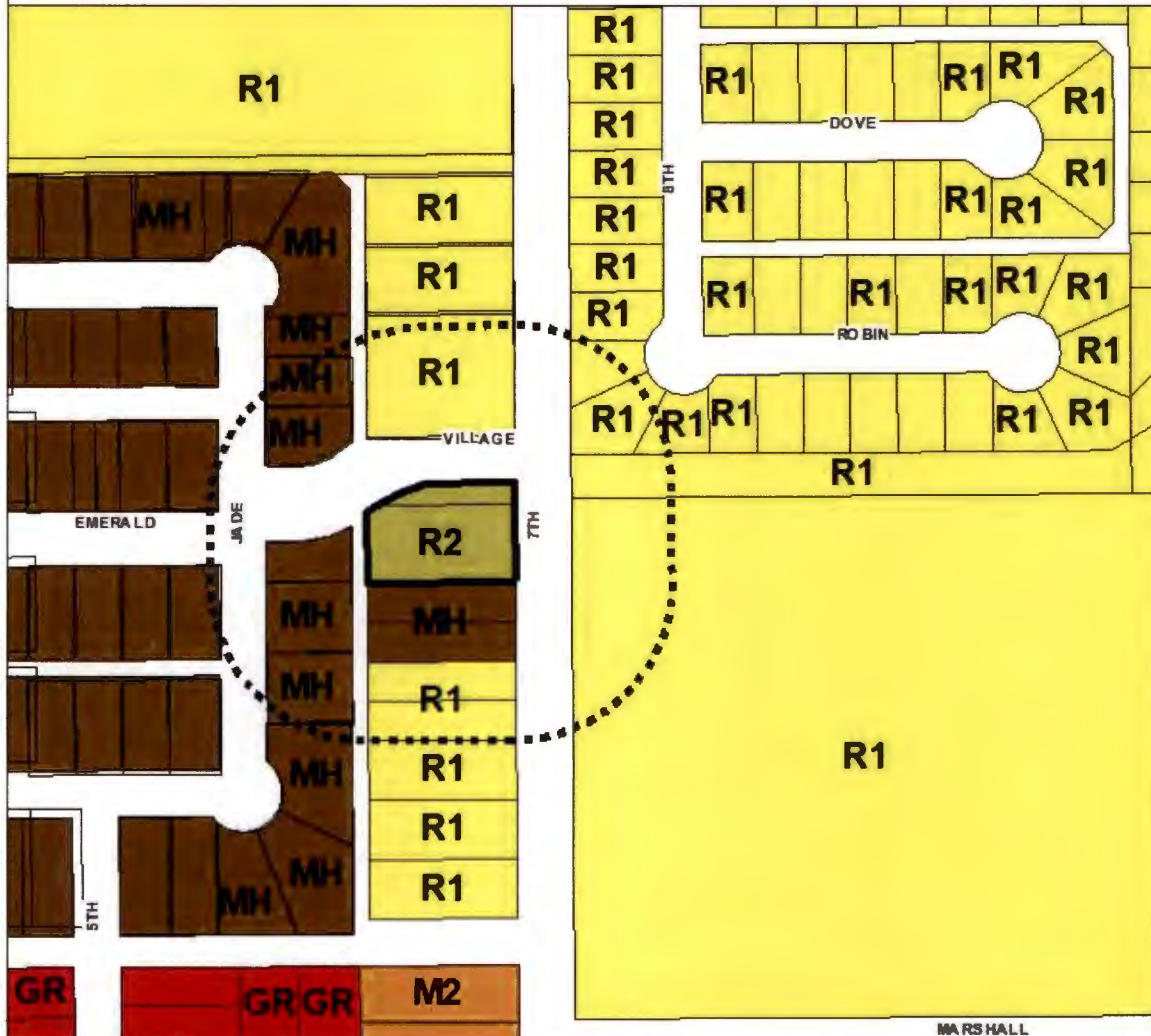
Mario Linares

Norma Linares

Attachment II - Application



Request to rezone from Residential, Duplex ("R-2") District to Residential, Multi-Family ("M-2") District for a 0.572 acre tract, being all of Lot 6 and 0.113 acres out of Lot 7, J H West Subdivision, located at 1605 N. 7th Street. Applicant: Mario & Norma Linan



Boundary lines

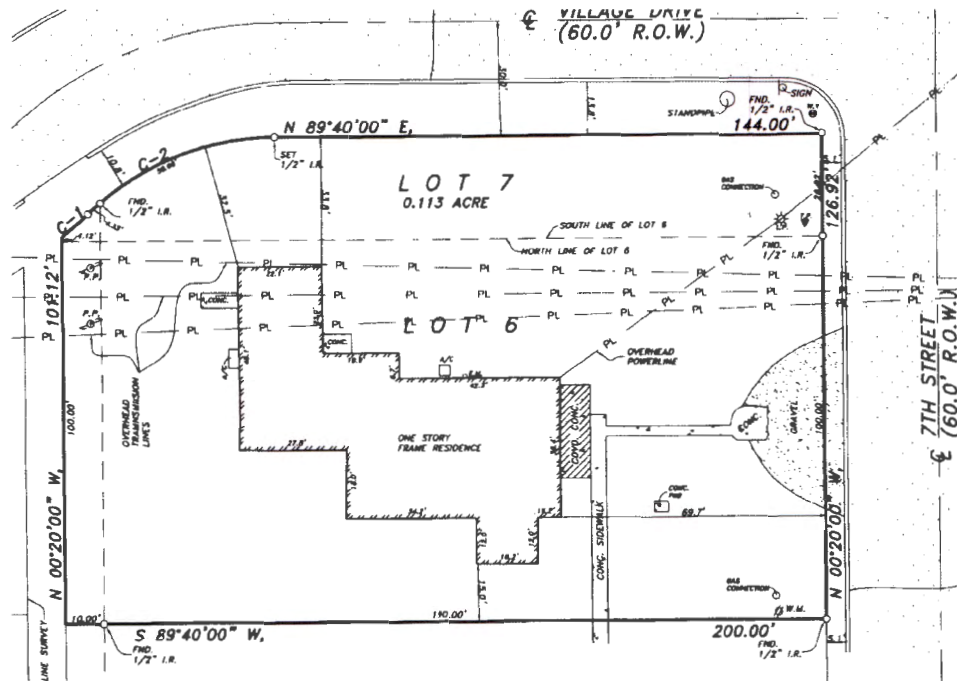
- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---|---|--|
| General Retail (GR) | Multi-Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

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 09.06.2023

Attachment III - Survey



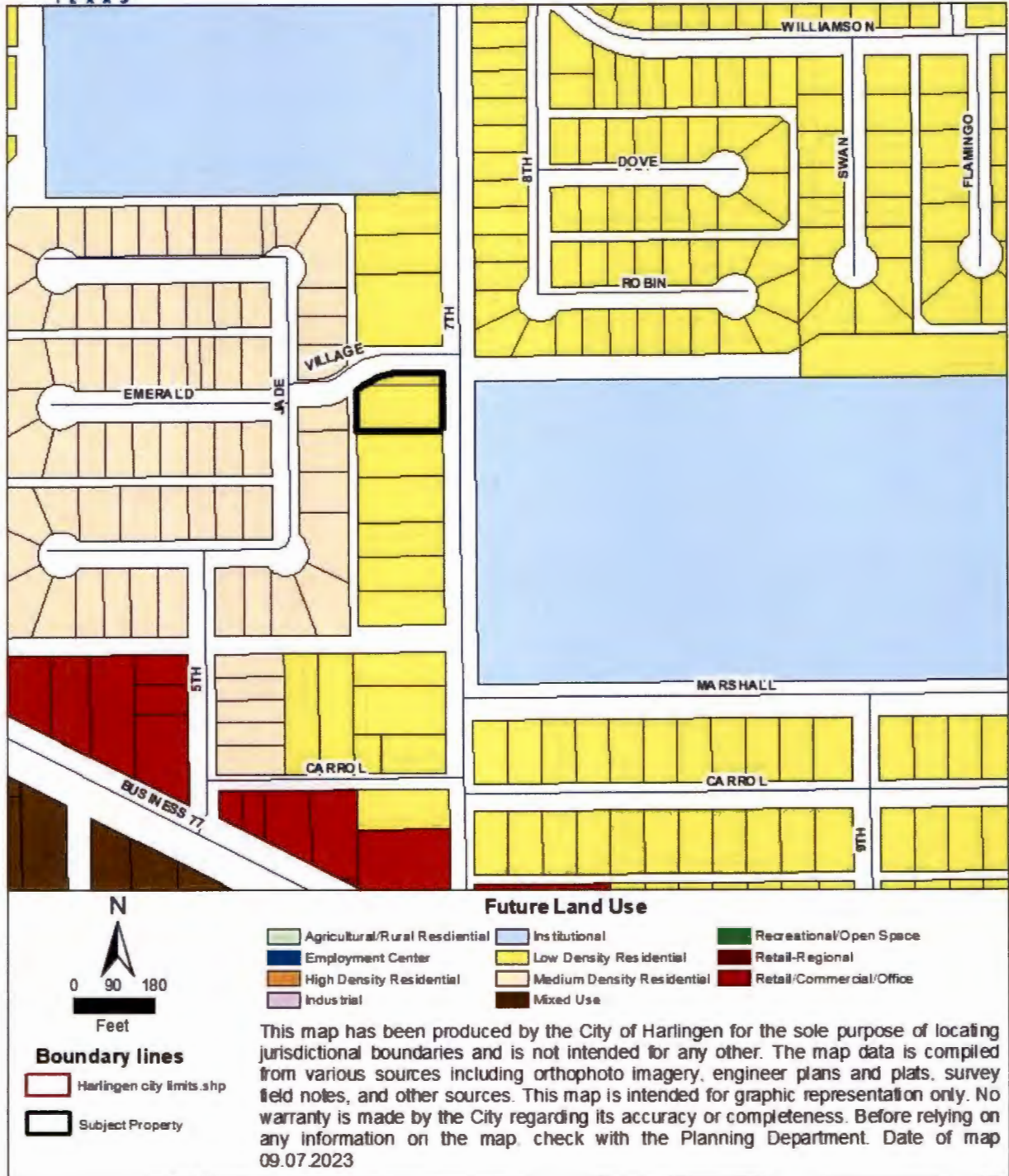
Attachment IV - Aerial





Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Attachment VI – Street View

Street View from North 7th Street



Attachment VI – Street View

Street View from Village Drive



Attachment VII – Street View

**Street View from Village Drive As
of 02/19/2024**



ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, DUPLEX ("R-2") DISTRICT TO RESIDENTIAL, MULTI-FAMILY ("M-2") DISTRICT FOR A 0.572 ACRE TRACT, BEING ALL OF LOT 6 AND 0.113 ACRE OUT OF LOT 7, J H WEST SUBDIVISION, LOCATED AT 1605 NORTH 7TH STREET. APPLICANTS: MARIO AND NORMA LINAN

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, Duplex ("R-2") District to Residential, Multi-Family ("M-2") District for a 0.572-acre tract, being all of Lot 6 and 0.113 acres out of Lot 7, J H West Subdivision, located at 1605 N. 7th Street.

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

10(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action 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 301 West Filmore Avenue, bearing a legal description of Lot 6, Block 130, Harlingen Original Townsite. Applicant: Juan Ramon. Attachment ***(Planning & Development)***

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- February 20, 2024 – Application for rezoning submitted to the City. **(ATTACHMENT I)**
- February 26, 2024 – 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.
- March 2, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- March 13, 2024 – Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- March 20, 2024 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 3, 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 southwest corner of West Filmore Avenue and South "B" Street, has a width of 50 feet and a depth of 150 feet. There is an existing 1,885 sq. ft. single-family residence on the subject property, and an existing 342 sq. ft. detached structure that was built without permits. **(ATTACHMENT III)**
- If the rezoning is approved, the applicant will work on connecting the dwelling units as required by the Zoning ordinance. In addition, the applicant will submit engineering reports to legalize the structure that was built without proper permits.
- The surrounding properties are zoned Residential, Single-Family ("R-1") to the north, south, east, and west. Surrounding land uses include single family

residences to the north, east, south, and west of the subject property.

(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 ☐ 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: *6/6* ☒ Yes ☐ No ☐ N/A

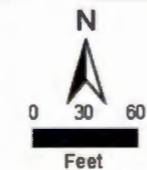
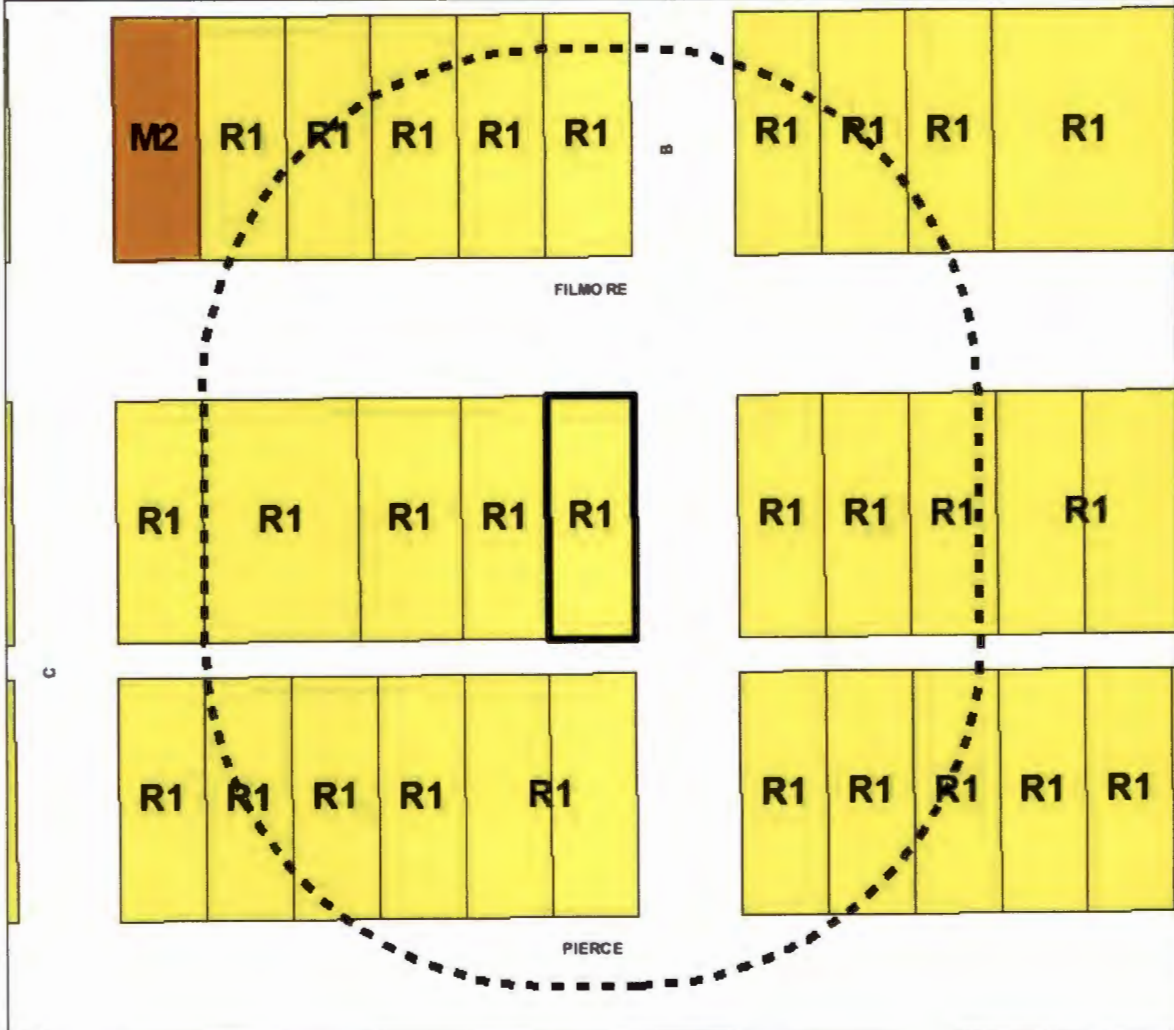
Comments:

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

Attachment I – Legal Notice



Request to rezone from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 301 West Filmore Avenue, bearing a legal description of Lot 6, Block 130, Harlingen Original Townsite. Applicant: Juan Ramon



Boundary lines

- Harlingen city limits.sbp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---------------------------|-------------------------------|-----------------------------------|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development District (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

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 02.20.2024

Attachment I - Application

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 301 W. Filmore Ave Nearest Intersection Filmore Ave & B 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 Juan Martin Ramon JR Phone (956) 250-7006 FAX _____
Email Address (for project correspondence only): _____
Mailing Address 301 W. Filmore Ave City Harlingen State TX Zip 78550
Property Owner Juan Martin Ramon JR Phone (956) 250-7006 FAX _____
Email Address (for project correspondence only): _____
Mailing Address 301 W. Filmore Ave City Harlingen State TX Zip 78550

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

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

PAID
2-20-24
816

Please provide a basic description of the proposed project:

Re-zoning From R1 to R2
Second structure is already on the property.

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

Applicant's Signature: [Signature] Date: 2-20-24

Property Owner(s) Signature: [Signature] Date: 2-20-24

Accepted by: _____ Date: _____

Attachment II - 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.

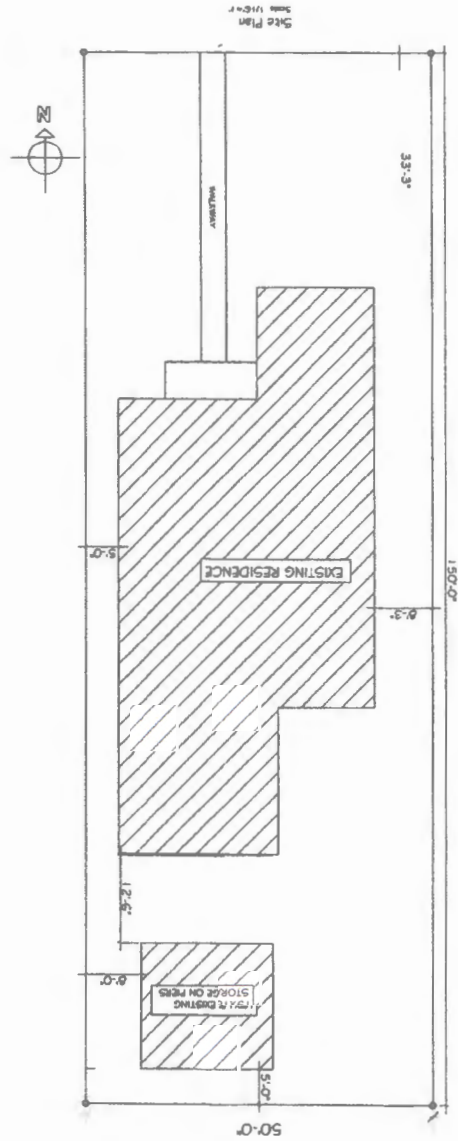
A written statement describing the proposed use(s) of the subject property (can be provided on Master Application).

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: Juan Mantrq Ramon JR Date 2-20-24
Owner Address: 301 W. Filmore Ave
Phone/Fax: (956) 250-7006
Signature: 

Attachment II - Application

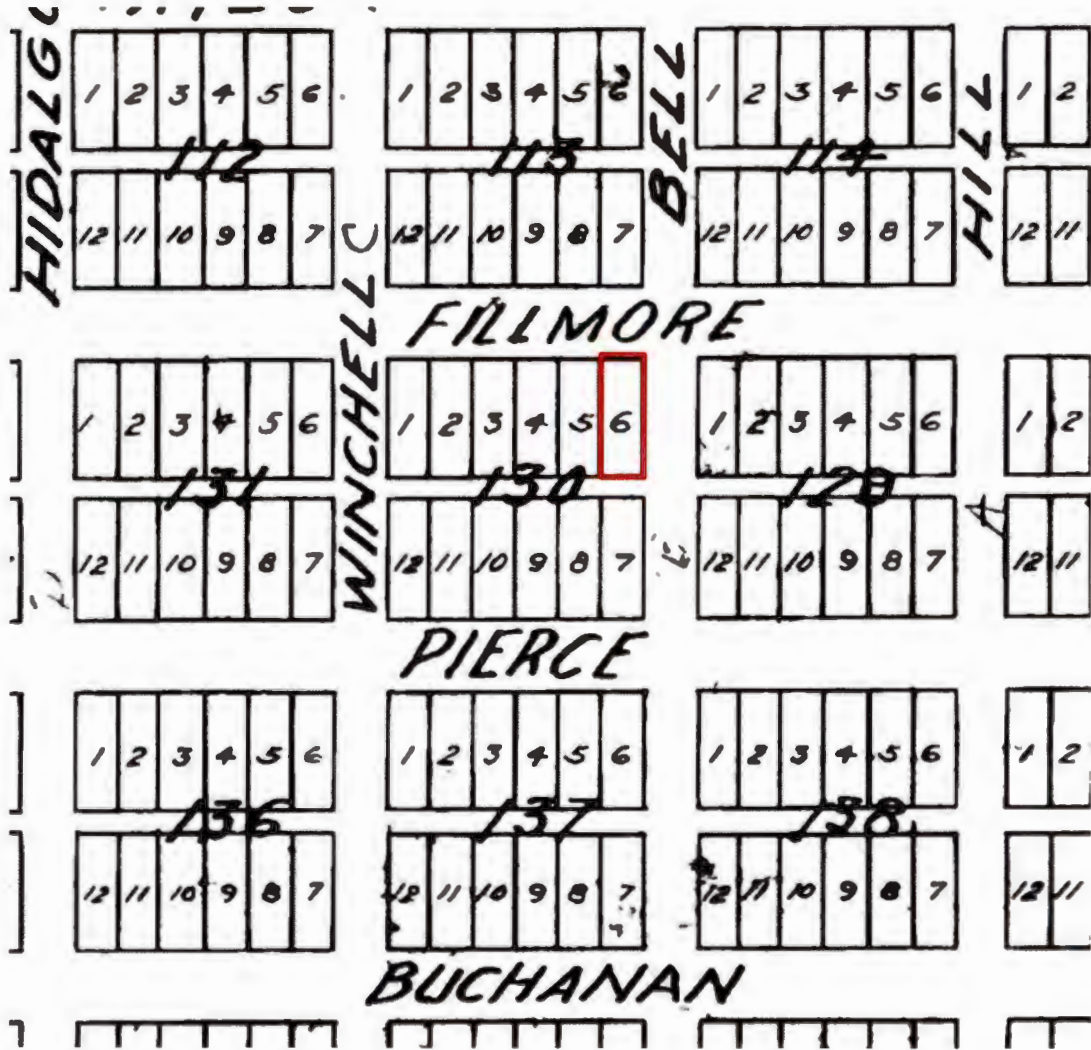


2 17

This all material was 80' wide, 160' long, and there are
data on 80' and 160' width by 160' in study area.
These fragments shaped as one. Right at top
the Area and Hole are 80' square.



Attachment III – Subdivision Plat



Attachment IV - Aerial

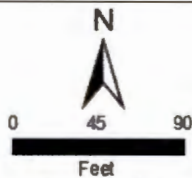
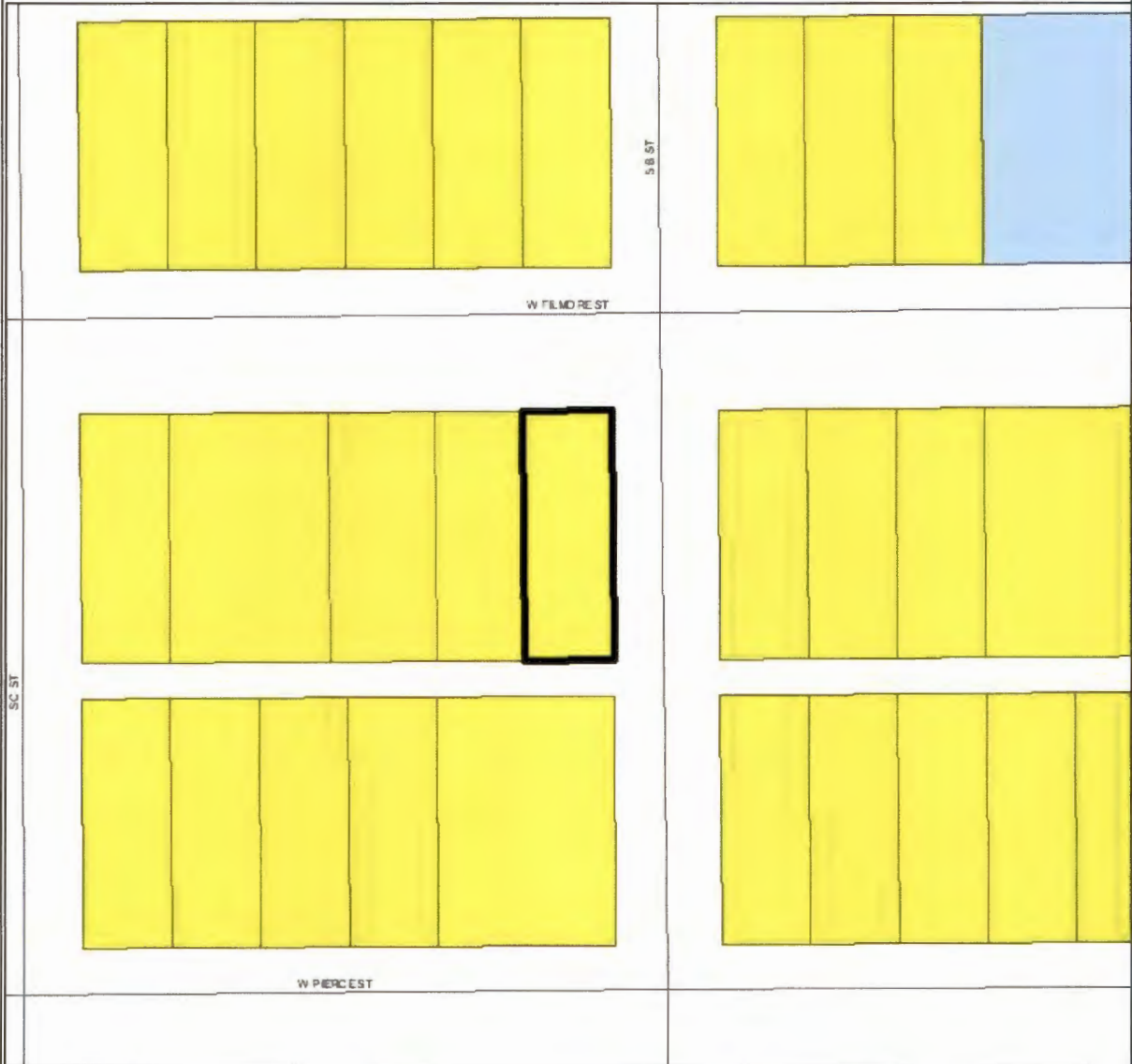


Attachment V – Future Land Use Map



Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Feet



Harlingen City Limits

Subject Property

Future Land Use

Agricultural/Rural Residential	Institutional	Recreational/Open Space
Employment Center	Low Density Residential	Retail-Regional
High Density Residential	Medium Density Residential	Retail/Commercial/Office
Industrial	Mixed Use	

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 PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING ORTHOPHOTO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT. DATE OF MAP 02.20.2024

Attachment VI – Street View

Street View from South “B” Street



Attachment VI – Street View

Street View from East Filmore Avenue



Second Structure



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 301 WEST FILMORE AVENUE, BEARING A LEGAL DESCRIPTION OF LOT 6, BLOCK 130, 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 301 West Filmore Avenue, bearing a legal description of Lot 6, Block 130, 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.

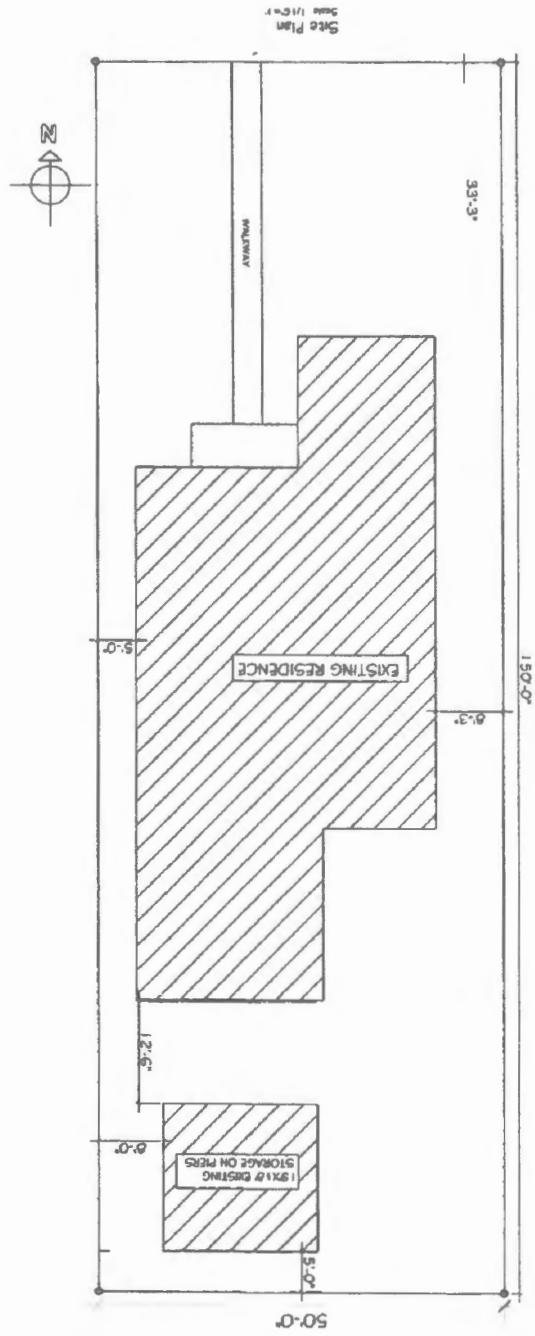
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(C)

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Single Family ("R-1") to Residential, Duplex ("R-2") District for Lots 136 and 137, Block 2, Avondale Subdivision, located at 2113 and 2115 Barcelona Avenue. Applicant: Homero D. Guerra. Attachment (**Planning & Development**)

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

Brief Summary:

Project Timeline

- February 21, 2024 – Application for rezoning submitted (**ATTACHMENT I**).
- February 26, 2024 – 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.
- March 2, 2024 – In accordance with Statute and local law, notice of required public hearings published in the Valley Morning Star and mailed to all property owners within 200 feet of subject tract
- March 13, 2024 – Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- March 20, 2024 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 4, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Homero D. Guerra, the applicant and property owner 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 subject properties.
- The subject properties consist of two lots. One of the lots is currently vacant, and the other lot has an existing single family residential structure on the property. Both of the subject properties have 50 ft. of frontage on Barcelona Avenue and a depth of 140 feet. As mentioned above, the developer is proposing a duplex on the vacant lot, and on the second lot the developer is proposing to add another unit to the existing single family residential structure. (**ATTACHMENT II**).
- The surrounding properties are zoned Residential, Duplex ("R-2") District to the north, Residential, Single Family ("R-1") District and General Retail ("GR") District to the south, Residential, Single Family ("R-1") to the east and General Retail ("GR") District to the west (**ATTACHMENT II**). Surrounding land use consists of duplexes to the north, single family residence and a mechanic shop to the south, single family residence to the east, and church to the west. (**ATTACHMENT V**).

- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision, One Harlingen shows this area as low density residential. A duplex use is considered low density residential. Therefore, the request is consistent with the Future Land Use Plan and also consistent with the duplex land use to the north of the subject property. (ATTACHMENT VI).
- To the present, the Planning and Development Department has not received any calls in opposition to the requested rezoning from surrounding property owners.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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 INFORMATION (Please PRINT or TYPE)

Project Address 2113 W. Barcelona Ave Nearest Intersection 77 Highway / W. Barcelona Ave.
 (Proposed) Subdivision Name Avondale Subdivision Lot 136&137 Block 2 8
 Existing Zoning Designation Residential Future Land Use Plan Designation Duplex (R-2)

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Homero D. Guerra Phone 956-451-5408 FAX _____
 Email Address (for project correspondence only): mof281@gmail.com
 Mailing Address 2117 W. Barcelona Ave City Harlingen State TX Zip 78550
 Property Owner Homero D Guerra & Maria Elena Guerra Phone 956-451-5408 FAX _____
 Email Address (for project correspondence only): _____
 Mailing Address n/a City n/a State n/a Zip n/a

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

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

Please provide a basic description of the proposed project: Requesting re-zoning of lots 136 and Lot 137 from RESIDENTIAL to MULTI-FAMILY. Future plan is to build a duplex on existing properties

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 Homero D. Guerra Date 2/21/2024

Property Owner(s) Signature Homero D. Guerra Date 2/21/2024

Accepted by [Signature] 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

Harold Summa

Date

2/21/2024

Owner Address:

2117. B Canelero Highway N 98550

Phone/Fax:

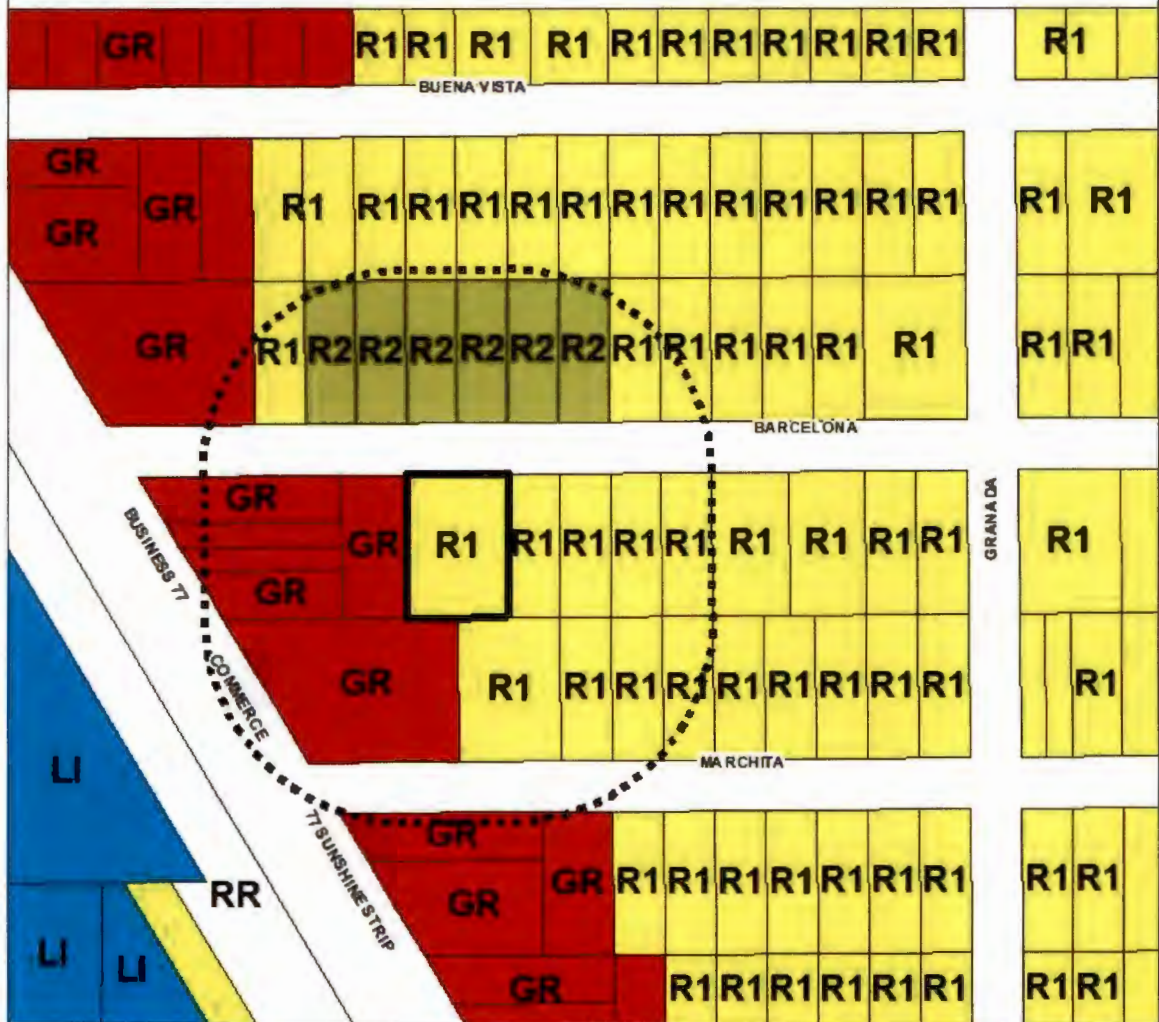
Signature:

Harold Summa

Attachment II—Legal Notice



Request to rezone from Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 2113 & 2115 W. Barcelona Avenue, bearing a legal description of Lots 136 & 137, Block 2, Avondale Subdivision. Applicant: Homero D. Guerra



Boundary lines

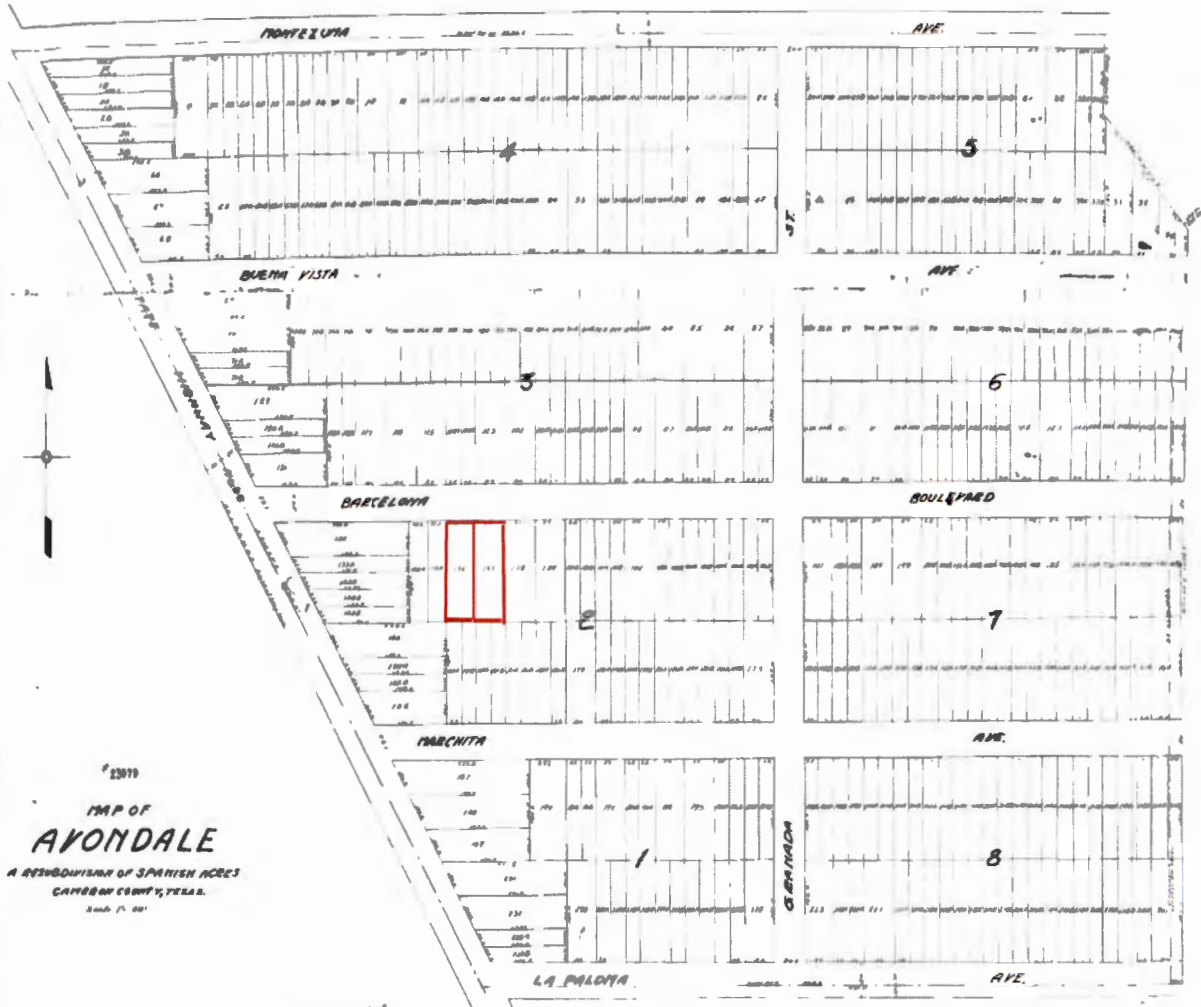
- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|--|---|---|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

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 02.22.2024

Attachment III—Subdivision Plat



23079
MAP OF
AVONDALE
 A RESUBDIVISION OF SPANISH ACRES
 CAMERON COUNTY, TEXAS.
 Scale 1" = 80'

BEFORE ME, the undersigned authority, on this _____ day of _____, 20____, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public in and for the State of Texas.

BEFORE ME, the undersigned authority, on this _____ day of _____, 20____, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public in and for the State of Texas.

Commission Expires

Notary Public

Attachment IV

Street View of Properties
on Barcelona Avenue



Attachment V—Aerial

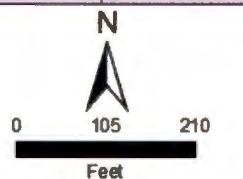
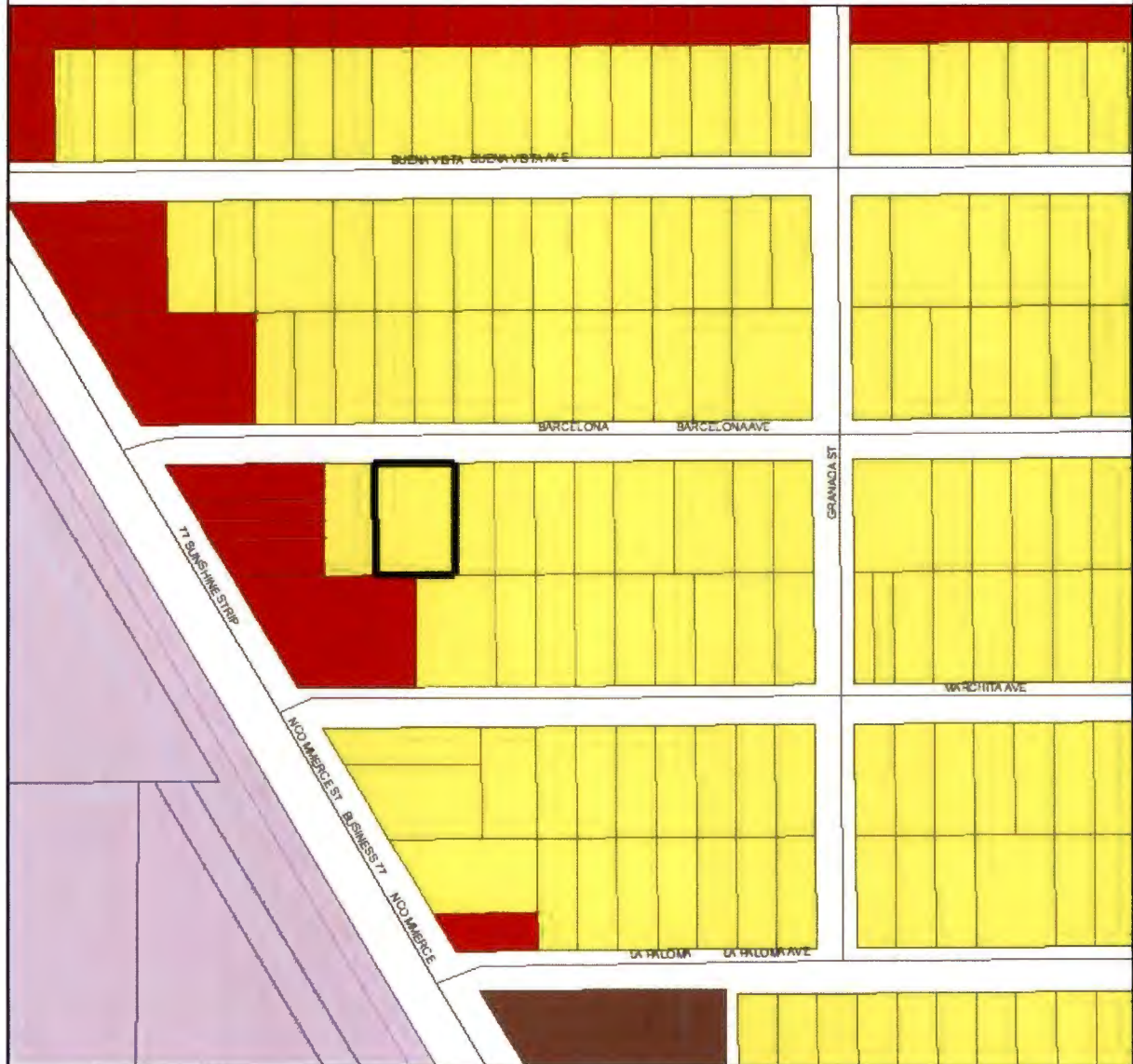


Attachment VI—Future Land Use Map



Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Boundary Lines
 Harlingen City Limits
 Subject Property

Future Land Use

Agricultural/Rural Residential	Institutional	Recreational/Open Space
Employment Center	Low Density Residential	Retail-Regional
High Density Residential	Medium Density Residential	Retail/Commercial/Office
Industrial	Mixed Use	

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 PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING ORTHOPHOTO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT.

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 LOTS 136 AND 137, BLOCK 2, AVONDALE SUBDIVISION, LOCATED AT 2113 AND 2115 BARCELONA AVENUE.

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 Lots 136 and 137, Block 2, Avondale Subdivision, located at 2113 and 2115 Barcelona Avenue 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.

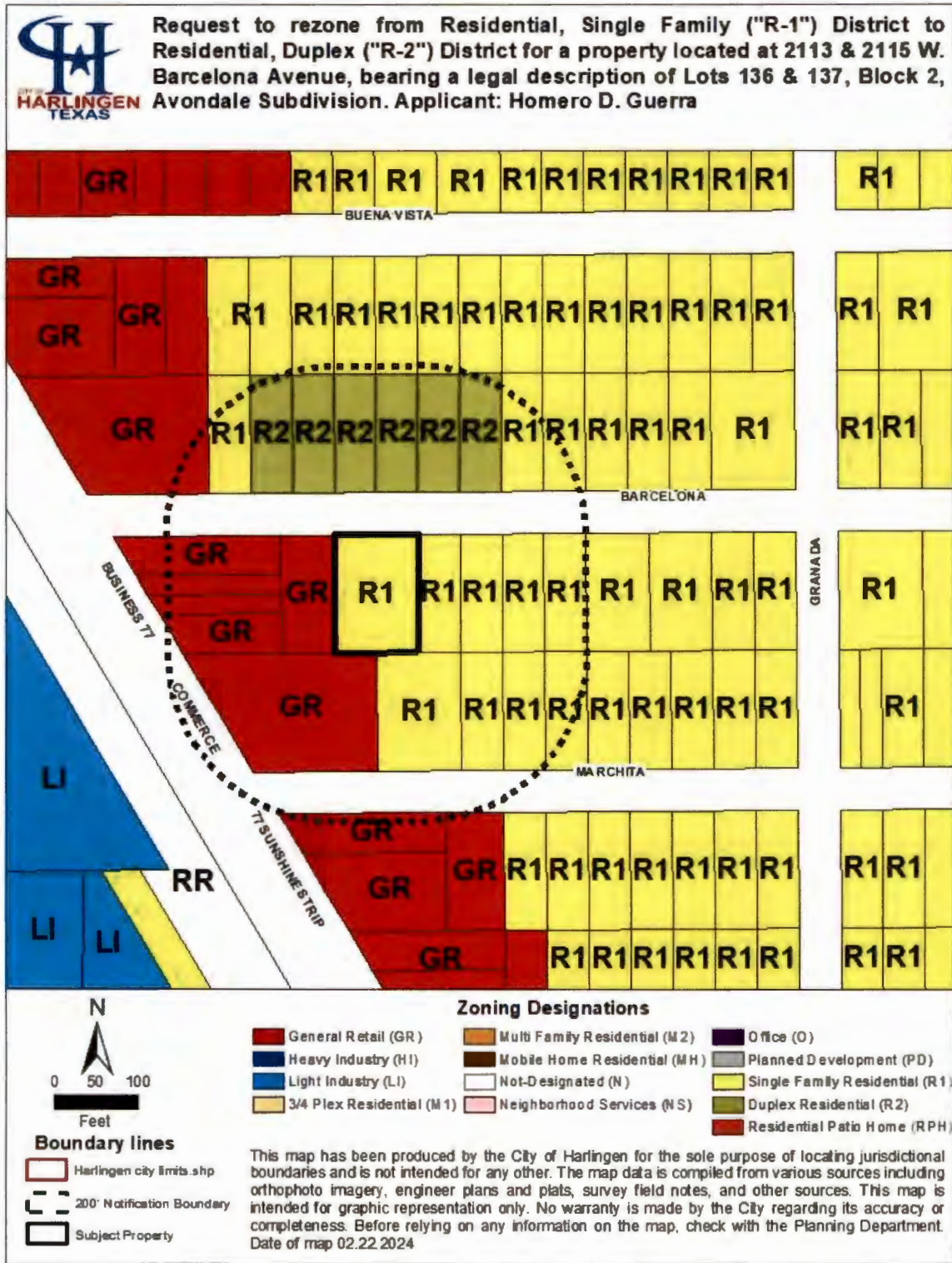
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

EXHIBIT "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(d)

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for the voluntary annexation of an 18.788-acre tract of land out of Block 33, David and Stephenson Subdivision, located along the east side of Crossett Road approximately 3,260 feet north of Loop 499. Applicant: River Creek Management, LLC. Attachment **(Planning & Development)**

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- February 3, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- February 28, 2024 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- March 6, 2024 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- March 20, 2024 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The property owner has requested the voluntary annexation of 18.788 acres of land **(Attachment I)**. The property has frontage along Crossett Road and is contiguous to the city limits via the west side of Crossett Road that was annexed to the city limits in the year 1980 **(Attachment V)**.
- The property owner is proposing a single-family residential development at the site and finds it beneficial for the property to be within city limits. If successful with the rezoning the developer plans to subdivide the property into multiple lots. The south one-half of the subdivision is proposed to be within Harlingen city limits while the north one-half will be within the city limits of Combes **(Attachment VI)**.
- Water and sewer for this subdivision will be provided by Harlingen Waterworks System. The costs to connect the property to the city water and sanitary sewer system will be at the developer's expense.
- The developer will be processing a Planned Development ("P-D") district zoning soon after the annexation process is completed. During the rezoning process legal notices will be mailed to all property owners within 200 feet of the subject property. The legal notices will be mailed to the property owners within the city limits only.

- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

City Manager's approval: *6/6* ☒ Yes ☐ No ☐ N/A

Comments:

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

Attachment I- Application Form

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address No Physical Address Available/Harlingen Nearest Intersection Loop 499 & Crosset Rd
(Proposed) Subdivision Name River Creek Subdivision Lot _____ Block 33(south)
Existing Zoning Designation Agricultural Future Land Use Plan Designation Single Homes Development

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Graciela Villarreal Phone 965-346-1313 FAX _____
Email Address (for project correspondence only): Rivercreek9@gmail.com
Mailing Address 102 Creek Ct City Brownsville State Tx Zip 78520
Property Owner River Creek Management, LLC Phone 956-346-1313 FAX _____
Email Address (for project correspondence only): Rivercreek9@gmail.com
Mailing Address 102 Creek Ct City Brownsville State Tx Zip 78520

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

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

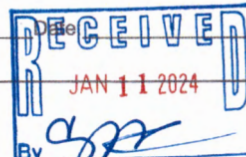
Please provide a basic description of the proposed project: Single Homes Development

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

Applicant's Signature: [Signature] Date: 1/8/24

Property Owner(s) Signature: [Signature] Date: 1/8/24

Accepted by: _____



Attachment I- Letter from the Property Owner

January 8, 2024

Re: Request for Voluntary Annexation

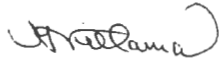
Dear City Council,

As the owner of the below-referenced property, I would like the City of Harlingen, Tx to consider my request for annexation. The property in question is located at South of Blk 33, David & Stephen Subdivision, Cameron County Tx. The property is currently undeveloped. The size of the tract is 18.788 acres and it is non-contiguous to the city limits. The reason for this annexation request is for new single homes development.

Owner Listed on Deed: River Creek Management, LLC

Attachments: Survey
Deed

Sincerely,



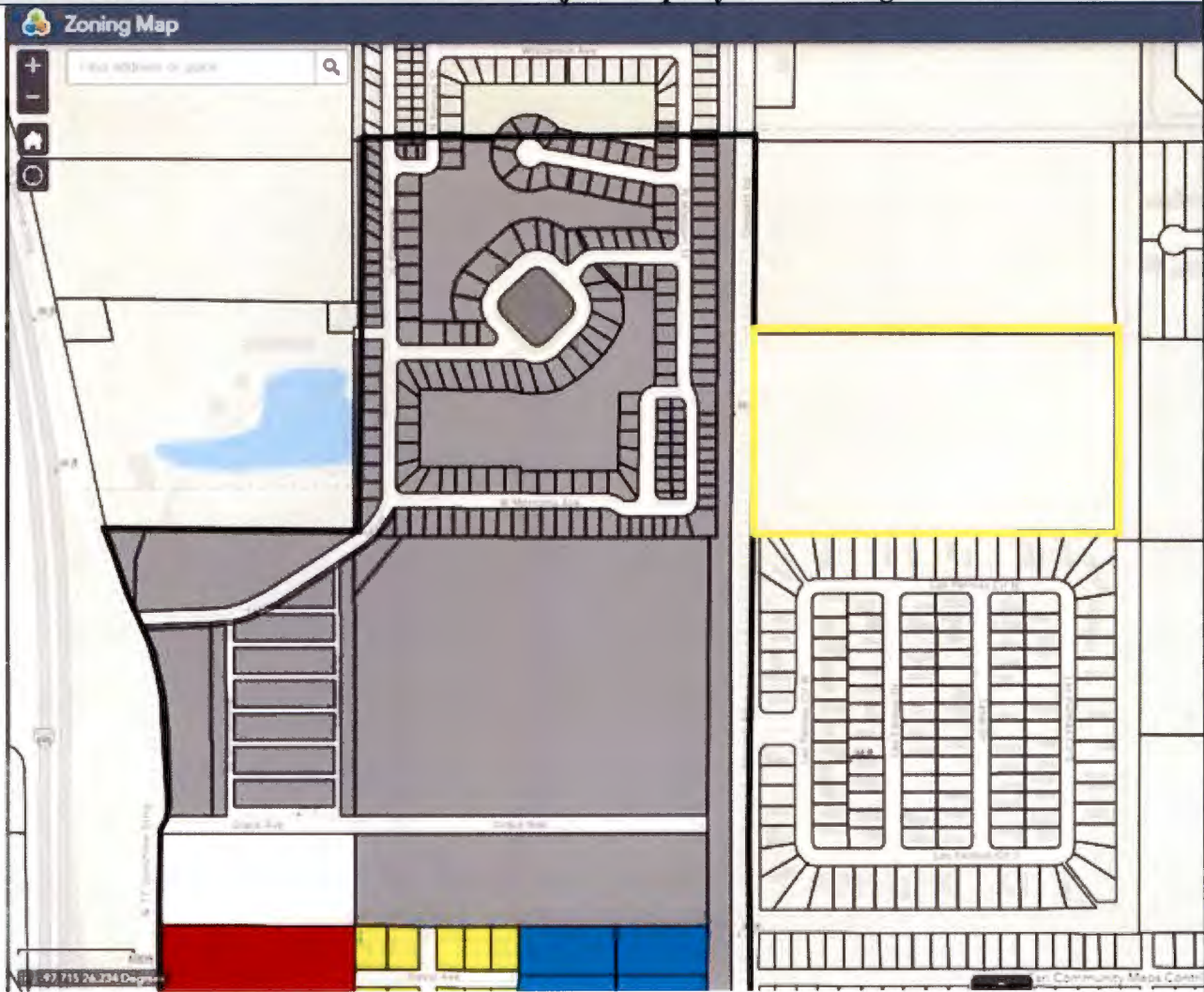
Graciela Villarreal

[illegible]

Attachment III- Aerial Photo with Zoning

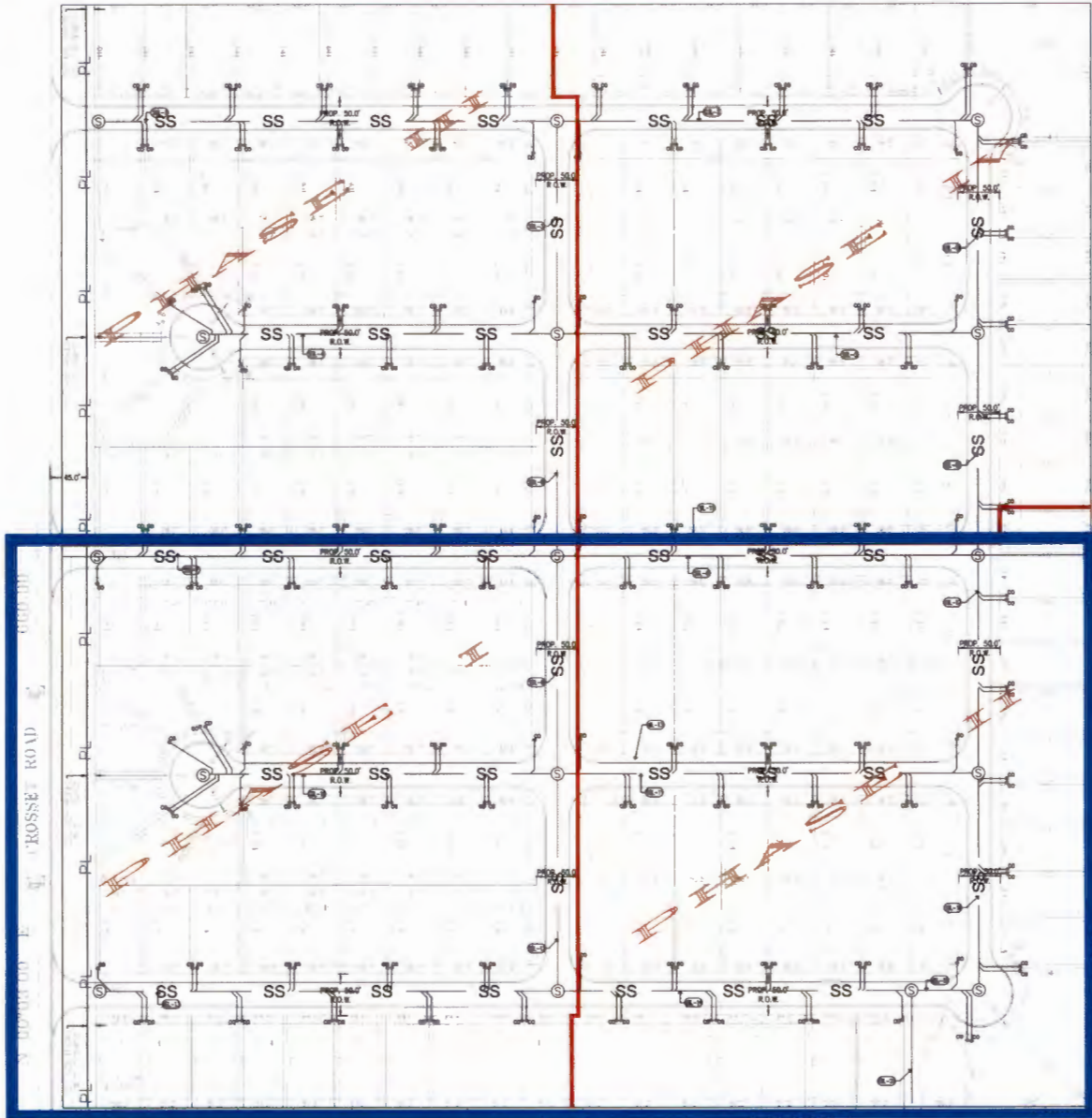


Attachment IV- Subject Property with Zoning



[illegible]

Attachment VI- Proposed Subdivision Layout



ORDINANCE NO. 24-_____

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE AN 18.788-ACRE TRACT OF LAND OUT OF BLOCK 33, DAVID AND STEPHENSON SUBDIVISION, LOCATED ON THE EAST SIDE OF CROSSETT ROAD APPROXIMATELY 3,260 FEET NORTH OF LOOP 499; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING AN ANNEXATION SERVICES AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the “City”) desires to annex approximately 18.788 acres of land situated on the east side of Crossett Road approximately 3,260 feet north of Loop 499, more particularly described and depicted in Exhibit “A”, with the exhibit being attached hereto and incorporated herein by reference (collectively, the “Property”); and

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

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex an area on the request of all property owners in an area, whereby the City has received a petition for annexation by the property owner for the tract of land described as depicted in Exhibit “B”; and

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, Section 43.0672, the City has negotiated and entered into a written agreement dated January 12, 2024, with the owner of the Property regarding the provision

of services to the Property upon annexation, of which the applicable annexation services agreement and schedule is attached hereto and incorporated herein as Exhibit “C,” and

WHEREAS, the City Commission provided public notice and held public hearings on February 14, February 21 and March 6, 2024, for all interested persons to attend and be heard in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, § 43.0673; and

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

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

BE IT ORDAINED BY THE CITY OF HARLINGEN:

- Section 1.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Commission and made a part hereof for all purposes as findings of fact.
- Section 2.** The Property, lying outside of, but adjacent to and adjoining the City and located within the City’s ETJ, is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.
- Section 3.** The City finds annexation of the Property to be in the public interest due the Property promoting economic growth of the City.
- Section 4.** The annexation services agreement attached as Exhibit “C” is approved, and municipal services shall be provided to the Property in accordance therewith.
- Section 5.** The City Manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the addition to the City’s Corporate Limits and the City Secretary is directed to file a certified copy of this Ordinance in the office of the County Clerk of Cameron County, Texas, and in the official records of the City.

Section 7. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Commission that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

Section 8. This Ordinance will take effect upon its adoption by the City Commission in accordance with the provisions of Article V, Section 5 of the City Charter.

APPROVED ON FIRST READING on this 6th day of March, 2024

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this 20th
day of March, 2024

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

EXHIBIT "A"

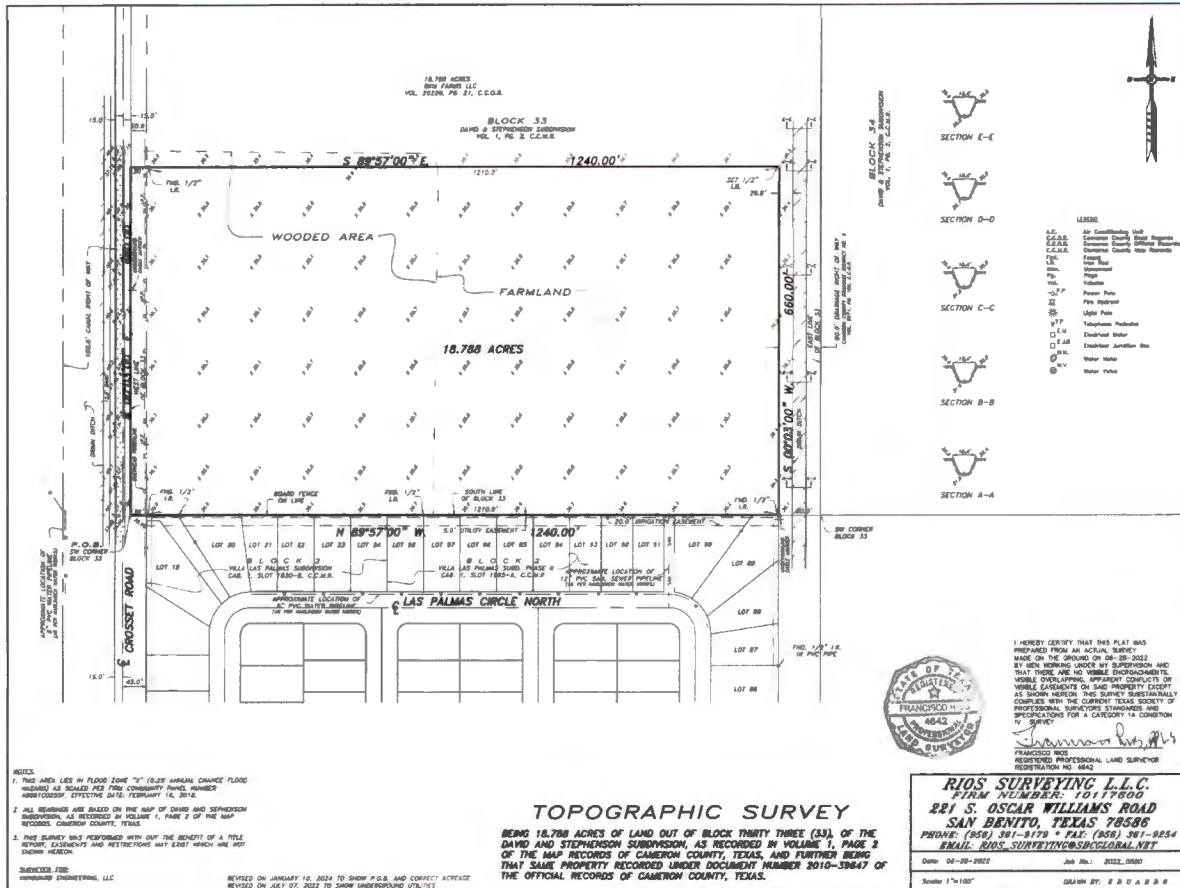


EXHIBIT "B"

RIOS SURVEYING L.L.C.
FIRM NUMBER: 10117600
221 SOUTH WILLIAMS ROAD
SAN BENITO, TEXAS 78586
(956) 361-9179, FAX (956) 361-9254

METES AND BOUNDS DESCRIPTION
18.788 ACRES
CAMERON COUNTY, TEXAS

Being 18.788 acres of land out of Block Thirty Three (33), of the David and Stephenson Subdivision, as recorded in Volume 1, Page 2 of the Map Records of Cameron County, Texas, and further being that same property recorded under Document Number 2010-39647 of the Official Records of Cameron County, Texas; Said 18.788 acre tract being more particularly described as follows:

BEGINNING at a point on the original East Right of Way line of Crosset Road (30.00 feet of Right of Way), being the Southwest corner of said Block 33 and of the herein described tract;

THENCE, along the original East Right of Way line of said Crosset Road and the West line of said Block 33, North 00 degrees 30 minutes 00 seconds East, a distance of 660.00 feet to a point for the Southwest corner of a certain 18.788 acre tract recorded in Volume 20220, Page 21 of the Official Records of Cameron County, Texas, and the Northwest corner of the herein described tract;

THENCE, departing the original East Right of Way line of said Crosset Road, South 89 degrees 57 minutes 00 seconds East, along the South line of said 18.788 acre tract, at a distance of 30.00 feet passing a ½ inch iron rod found for reference on the apparent East Right of Way line of said Crosset Road, and continuing in all a total distance of 1240.00 feet to a ½ inch iron rod set on the West Right of Way line of a 80.00 feet Drainage Right of Way, as recorded in Volume 5971, page 106 of the Official Records of Cameron County, Texas, for the Southeast corner of said 18.788 acre tract and the Northeast corner of the herein described tract;

THENCE, along the West Right of Way line of said 80.00 feet Drainage Right of Way, South 00 degrees 30 minutes 00 seconds West, a distance of 660.00 feet to a ½ inch iron rod found on the South line of the aforementioned Block 33, for the Southeast corner of the herein described tract, and being the Northeast corner of Villa Las Palmas Subdivision Phase II, as recorded in Cabinet 1, Slot 1965-A of the Map Records of Cameron County, Texas;

THENCE, departing the West Right of Way line of said 80.00 feet Drainage Right of Way, North 89 degrees 57 minutes 00 seconds West, along the South line of said Block 33 and along the North line of said Villa Las Palmas Subdivision, Phase II and of Villa Las Palmas Subdivision, as recorded in Cabinet 1, Slot 1830-B of the Map Records of Cameron County, Texas, at a distance of 1210.00 feet passing a ½ inch iron rod found for reference on the apparent East Right of Way line of the aforementioned Crosset Road, and continuing in all a total distance of 1240.00 feet to the POINT OF BEGINNING and containing 18.788 acres of land.

Compiled by: E.M.
Date: January 10, 2024
Job No.: 2022_0580.



Francisco Rios, PLS

EXHIBIT "C"

ANNEXATION SERVICE AGREEMENT

SECTION 1. Pursuant to the provisions of V.T.C.A., Local Government Code Section 43.0672, in connection to the voluntary annexation of a 18.788-acre tract of land out of Block 33, of the David and Stephenson Subdivision, Cameron County, Texas, the owners(s) of the land in the area and the City of Harlingen ("City"), collectively referred to herein as the "Parties", hereby enter into this written Annexation Service Agreement as follows:

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

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

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

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

B. If the city fails to zone the property as Planned Development ("PD") District after the rezoning public hearings are held the city agrees to de-annex the property within three (3) months after the rezoning process is completed.

SIGNED this 12 day of Jan, 2024.

CITY OF HARLINGEN

By: _____
Gabriel Gonzalez, CPM, City Manager

PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED ABOVE

By: 
River Creek Management, LLC
Property Owner

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(e)

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances, Chapter 111, Article XIII, Section 111-62, Use Chart, by establishing the boundaries of the major commercial corridors, and prohibiting the car wash use in the said major corridors due to safety. Applicant: City of Harlingen. Attachment (**This item was tabled during the March 6, 2024 meeting**)

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- February 3, 2024 - In accordance with State and local law, notice of the required public hearings published in the Valley Morning Star.
- February 28, 2024 – Public hearing and consideration of the ordinance amendment by the Planning and Zoning Commission (P&Z).
- March 6, 2024 – Public hearing and consideration of the ordinance amendment scheduled before the City Commission. The item was tabled.
- March 20, 2024 Consideration of the ordinance amendment on 1st reading.
- April 3, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- This ordinance prohibiting new car wash facilities along certain major commercial corridors is being proposed due to safety concerns.
- After consulting with the Police Chief he agrees that the traffic in-and-out of these facilities create safety issues for the motorists traveling along certain major commercial corridors due to the conflict points generated.
- The proposal is to define the major commercial corridors as Interstate 2 (Expressway 83), Interstate 69E (Expressway 77), Ed Carey Boulevard, Loop 499, Tyler Avenue and Harrison Avenue (**Attachment I**).
- There is language in the ordinance that exempts from the regulations car washes that are a component of a convenience store.
- Any existing, or under construction, car wash facility along these corridors would be considered legal non-conforming uses (grandfathered).
- An alternative ordinance has been drafted making new car washes special uses for the City Commission's consideration.

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:

HH

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

☐

Yes

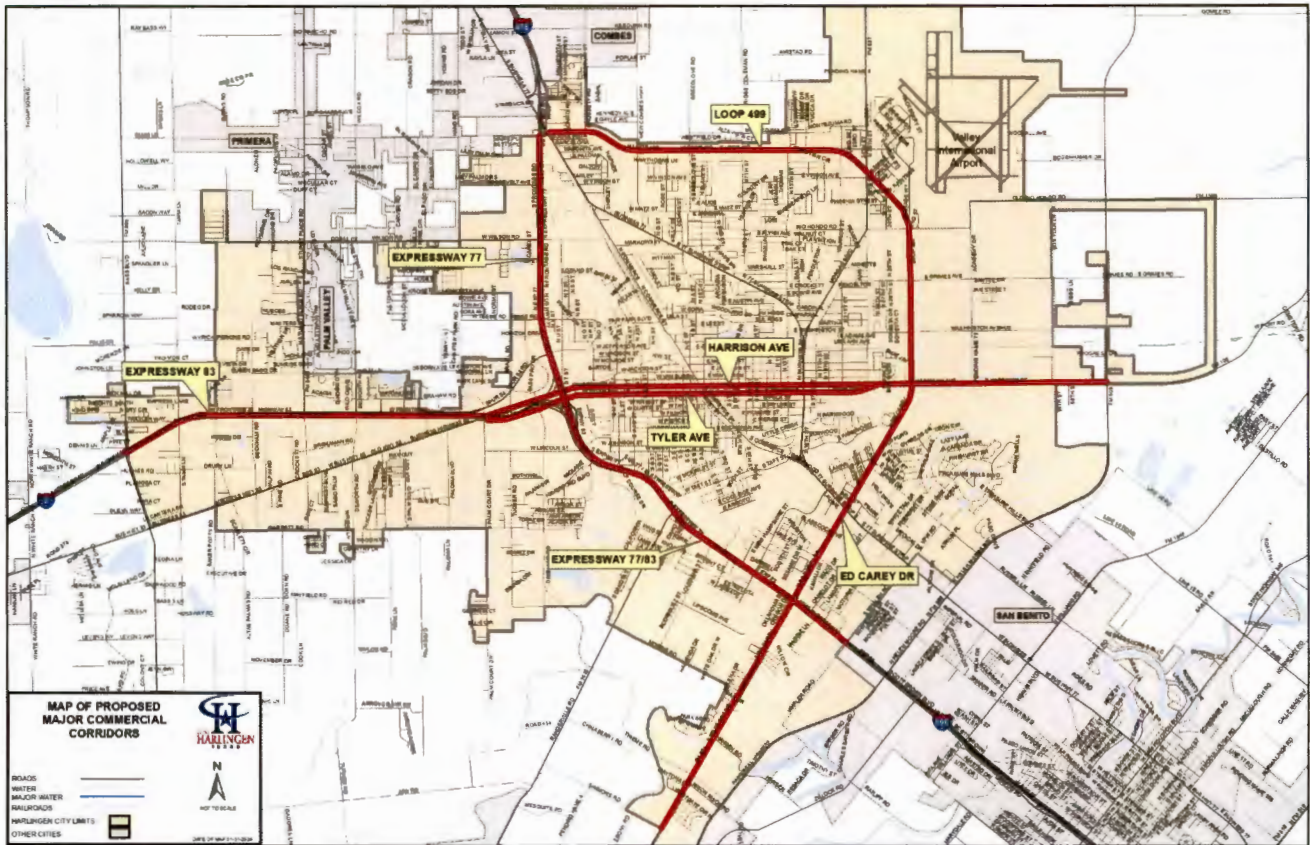
☐

No

☐

N/A

Attachment I—Map



ORDINANCE NO. 24-_____

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 111, ZONING, ARTICLE XIII, SECTION 111-62 USE CHART; BY ESTABLISHING THE BOUNDARIES OF THE MAJOR COMMERCIAL CORRIDORS, AND PROHIBITING THE CAR WASH USE IN THE SAID MAJOR CORRIDORS DUE TO SAFETY; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS, The amendments are also consistent with the goals of the One Vision One Harlingen Comprehensive Plan, to help create safe environments throughout the city; and

WHEREAS, The amendments are also consistent with Chapter 211, Municipal Zoning Authority, Section 211.008; and

WHEREAS, The Planning and Zoning Commission has reviewed the proposed amendment 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 finds that it is in the best interests of the citizens of Harlingen to amend the Code of Ordinances as set forth below;

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

SECTION I: That the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article XIII, Section 111-62, is hereby amended by adding the language underlined (added) and deleting the language that is stricken through (~~stricken~~) to read in full as follows.

Sec. 111-62. - Use chart; allowable uses by zone

This section contains a chart of permissible land uses by zone. If you want to open a specific type of business, look for that use in the uses listed in the left hand column.

Once the use is located, follow the line across to the right to determine which zoning designations it is allowed in by right (designated by an "x"), which it is allowed in with a special use permit (designated by an "s"), or if it is not allowed in a zone (no mark present). If you do not find your use listed, check with the department of planning and development, it may be under a general classification category. Similarly, if you own a piece of property and you know what it is zoned, you can determine what uses are allowed by following the column under your zoning category (e.g. R-1, M-2, MH. . .) to determine which uses are allowed by right or with a special use permit.

A car wash operation shall not be permitted along the City of Harlingen major commercial corridors such as Tyler Avenue, Harrison Avenue, Ed Carey Drive, Loop 499, Interstate 2 (Expressway 83), and Interstate 69E (Expressway 77). Any such business that may currently exist may continue to do so but shall not be permitted to expand or be replaced. A car wash, being a component of a convenience store, shall not be prohibited along these corridors.

Legend		
X	Permitted by right	□ Not allowed
S	Special use permit required	* Storage purposes only
1	Requires site plan approval	^ Only on tracts 5 acres or more
**	<u>Not allowed along major commercial corridors listed above</u>	

Automobile and Machinery Type Uses

	N	R1	R2	M1	M2	MH	PD	O	NS	GR	LI	HI	RPH	
Auto paint and rebuild							x1							
Auto parking lot	*				x		x1	x	x	x	x	x		
Auto sales and repair							x1			x	x	x		
Car Wash**							x1			x	x	x		
Drag strip and commercial racing							x1				x	x		
Farm equipment sales							x1			x	x	x		
Gasoline station							x1	x	x	x	x	x		
Heavy machinery sales and storage							x1			x	x	x		
Mobile home sales							x1			x	x	x		
Mobile home repairs							x1				x	x		
New and used car lot							x1			x	x	x		
New auto parts							x1			x	x	x		
Taxi stand							x1			x	x	x		
Trailer rental/sales							x1			x	x	x		
Truck parking lot							x1			x	x	x		
Towing, wrecked vehicle storage							x1				x	x		
Used auto parts							x1				x	x		

Wrecking and salvage yard							x1				s	s		

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.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

ALTERNATIVE ORDINANCE FOR CONSIDERATION

ORDINANCE NO. 24-_____

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 111, ZONING, ARTICLE XIII, SECTION 111-62 USE CHART; BY REQUIRING A SPECIAL USE PERMIT FOR A CAR WASH USE WHEN LOCATED IN A GENERAL RETAIL ("GR"), LIGHT INDUSTRY ("LI"), OR HEAVY INDUSTRY ("HI") DISTRICTS; AND ARTICLE XII, SPECIAL USE REGULATIONS AND RESTRICTIONS, SECTION 111-336, CAR WASH REGULATIONS, BY ESTABLISHING GUIDELINES FOR A CAR WASH USE, AND SECTION 111-413 SPECIAL USE PERMIT, BY CLARIFYING THE NOTIFICATION PROCESS FOR CAR WASH USE; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS, The amendments are also consistent with the goals of the One Vision One Harlingen Comprehensive Plan, of streamlining the development policies to promote Harlingen as an attractive and development option; and

WHEREAS, The amendments are also consistent with Chapter 211, Municipal Zoning Authority, Section 211.008; and

WHEREAS, The Planning and Zoning Commission has reviewed the proposed amendment 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 finds that it is in the best interests of the citizens of Harlingen to amend the Code of Ordinances as set forth below;

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

SECTION I: That the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article XIII, Section 111-62, is hereby amended by adding the language underlined (added) and deleting the language that is stricken through (~~stricken~~) to read in full as follows.

Sec. 111-62. - Use chart; allowable uses by zone

Legend		
X	Permitted by right	□ Not allowed
S	Special use permit required	* Storage purposes only
1	Requires site plan approval	^ Only on tracts 5 acres or more

	N	R1	R2	M1	M2	MH	PD	O	NS	GR	LI	HI	RPH
Auto paint and rebuild							x1						
Auto parking lot	*				x		x1	x	x	x	x	x	
Auto sales and repair							x1			x	x	x	
Car Wash							x1			<u>S</u>	<u>S</u>	<u>S</u>	
Drag strip and commercial racing							x1				x	x	
Farm equipment sales							x1			x	x	x	
Gasoline station							x1	x	x	x	x	x	
Heavy machinery sales and storage							x1			x	x	x	
Mobile home sales							x1			x	x	x	
Mobile home repairs							x1				x	x	
New and used car lot							x1			x	x	x	
New auto parts							x1			x	x	x	
Taxi stand							x1			x	x	x	
Trailer rental/sales							x1			x	x	x	
Truck parking lot							x1			x	x	x	
Towing, wrecked vehicle storage							x1				x	x	
Used auto parts							x1				x	x	
Wrecking and salvage yard							x1				s	s	

Section 111-336 – Car Wash Regulations

A. Zoning and location.

A car wash shall only be permitted to operate in General Retail ("GR"), Light industrial ("LI"), or Heavy Industrial ("HI") Districts with an approved special use permit as designated in Section 111-62 of the Code of Ordinances.

B. General development standards for all car washes.

1. In addition to the applicable landscaping requirements of Chapter 111, landscaping for all car washes shall screen drive-through or drive-in aisles from public rights-of-way and shall be used to minimize the visual impact of reader-board signs and directional signs.

2. All car wash tunnels shall be insulated to minimize noise impacts on nearby properties.

3. All mechanical equipment and utility boxes shall be screened with landscaping.

4. All vehicular circulation shall be entirely on site.

5. If adjacent to a residential zone or adjoining public street, the car wash facility shall maintain a minimum front, side, and rear yard setback of ten feet.

6. The car wash facility, including the blowers and vacuum motors, shall comply with City noise ordinance.

7. The site shall be equipped with catch basins and water drains to prevent water from flowing over any public right-of-ways.

8. All lighting, including lighting for wash bays and canopies shall be designed and installed to prevent glare or light from being emitted onto adjacent properties.

9. No gray water shall be discharged into the storm drain.

10. Car wash facilities shall be designed to utilize water re-circulation systems.

11. Off-street parking shall be provided on the property in the ratio of not less than three parking spaces for each washing stall, or five parking spaces for each automobile that may be accommodated on the washing line within a facility.

12. Hours of operation shall be included in the special use permit ordinance.

13. No car wash special Use Permit shall be approved if within ¼ mile of an existing car wash facility or a car wash facility under construction.

Sec. 111-413. - Special use permit process.

The city commission, after public hearing and proper notice to all property owners within 200 feet (1,000 feet if the use is a food truck park or car wash) of the property involved, and after recommendations by the planning and zoning commission, may authorize the issuance of special or qualified use permits. The planning and development director shall waive the public hearing process for a special use permit application for a portable building and/or storage building as indicated in [section 111-62](#) if certain conditions are met. The special use

permit application for a portable building and/or storage building shall be administratively approved when no written complaints have been filed by any person with the planning and development department within ten days from the date of publication of notice in the local newspaper of record and the mailing of the notice to all property owners within 200 feet of the site in question. If a written complaint has been filed with the planning and development department concerning a permit for a portable building and/or storage building, the permit shall be processed as an original application in compliance with this section.

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.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

10 (F)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to approve the preliminary construction plans and final plat with conditions of the proposed East Treasure Haven Phase II Subdivision, located at the northeast corner of Haine Drive and Whalen Road, being 25.33 acres compromised of 10.0 acres out of Lot 9, 9.99 acres out of Lot 10, 2.67 acres out of Lot 15, and 2.57 acres out of Lot 16, Block 146, San Benito Land and Water Company Subdivision. Applicant: Scheibe Consulting. Attachment (**Planning & Development**)

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- January 25, 2023 – Amended Planned Development District (PDD) site plan for single family and multi – family use approved by the Planning and Zoning Commission.
- February 1, 2023 – Amended Planned Development District (PDD) site plan approved on 1st reading by City Commission.
- February 9, 2024 – Original preliminary and final plat application submitted to the City. (**ATTACHMENT I**)
- March 6, 2024 – Preliminary and final plat application deemed complete.
- March 13, 2024 – Consideration of the preliminary construction plans and final plat with conditions by the Planning and Zoning Commission.
- March 20, 2024 – Consideration of the preliminary construction plans and final plat with conditions by the Planning and Zoning Commission.

Summary

- The proposed subdivision consists of 115 single-family residential lots and 2 multi – family residential lots. It is located inside City Limits on the northeast corner of Haine Drive and Whalen Road.
- The intended use is allowed based on the existing zoning designation of Planned Development District (“PDD”). The PDD ordinance for this property was adopted by the City Commission on February 15, 2023.
- Drainage requirements meet the current standard for a 50-year storm. The developer is proposing to widen a Cameron County Drainage District #3 ditch to comply with the drainage requirements.
- Water and wastewater services will be provided by Harlingen Water Works System.
- No park fees shall be assessed since the subdivision was already in process prior to the adopting of the park fees ordinance.

Staff recommends approval of the preliminary construction plans and final plat with the following conditions.

Conditions

1. Requirements from the Engineering, HWWS, Fire Department, and Planning Department please see attached comments (ATTACHMENT III-III).

Funding (if applicable):

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

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

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

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

Comments:

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

Attachment I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address _____ Nearest Intersection WHALEN ROAD & HAINE DR.
(Proposed) Subdivision Name EAST TREASURE HAVEN SUBDIVISION, PHASE 2 Lot _____ Block _____
Existing Zoning Designation _____ Future Land Use Plan Designation PD

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent BROWN, LEAL & ASSOCIATES Phone 956-428-4014 FAX N/A
Email Address (for project correspondence only): jbrown@blengineer.com - kim@blengineer.com
Mailing Address P.O. BOX 1308 City HARLINGEN State TEXAS Zip 78551
Property Owner ACE VALLEY DEVELOPMENT, LLC Phone 956-428-4014 FAX N/A
Email Address (for project correspondence only): elizardehomes@aol.com
Mailing Address SAME AS ABOVE City _____ State _____ Zip _____

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

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

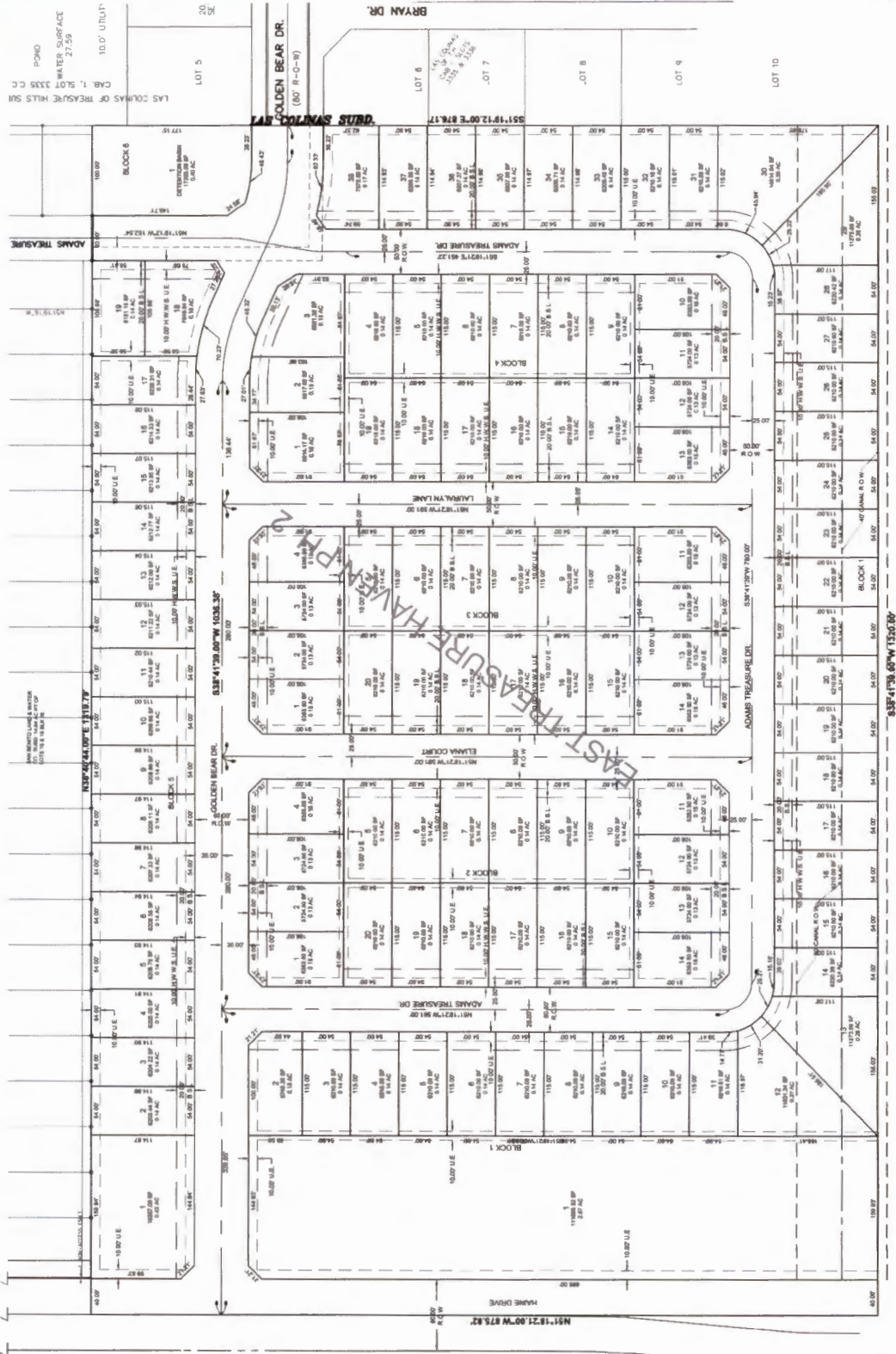
Please provide a basic description of the proposed project: MULTI FAMILY & SINGLE FAMILY SUBD.
WITH WATER, SEWER, AND STORM SEWER IMPROVEMENTS FOR 23.61 ACRES.

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: Kim Hedley Date: 1-31-2023
Property Owner(s) Signature: _____ Date: _____
Accepted by: _____ Date: _____



Attachment II – Final Plat



Attachment II – Planning



Planning and Development Department
502 E. Tyler Avenue
Harlingen, TX 78550
(956) 216-5101
(956) 216-5168 (fax)

01/06/2023

Jack Brown, P.E.
Brown, Leal & Associates
P.O. Box 1308
Harlingen, Texas 78551

Re: East Treasure Haven Phase II

Dear Mr. Brown,

City staff reviewed the preliminary plans submitted on December 15th, 2022. The application is considered complete subject to a list of conditions from the different City Departments. If you are in agreement with the listed conditions please come in to the Planning and Development offices 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. 109.91 – (c)(3)(e) of the Code of Ordinances Chapter 109 – Subdivisions, all new monuments set at subdivision corners shall be set to a sufficient depth to retain a stable and distinctive location, encased in concrete where location permits, shall be marked in a way that is traceable to the responsible surveyor, and shall conform to the appropriate state statutes.
 - a. Please provide elevations for these points
2. Pursuant to Sec. 109.124 – (f)(4) of the Code of Ordinances Chapter 109 – Subdivisions, 5' sidewalk will be required along Haine Drive prior to the plat being recorded
3. Pursuant to Sec. 109.190 (c)(2) submit the required v – line assessment fee.
4. Construction Plans submittal shall include ADA ramps.
5. Please edit plat note #14, Lot 20, Block 5 is no longer a detention area.
6. All other applicable fees must be paid prior to recording of the final plat.

Please see attached comments from city staff and provide a comment response letter. Should you have any questions, please reach out to me at either 956-216-5101 or by email at sol@harlingentx.gov.

Thank you,

A handwritten signature in blue ink that reads 'Soledad A. Núñez'.

Soledad A. Núñez
City Planner



Engineering Department | 24200 FM 509, Harlingen, Texas 78550

March 6, 2024

Luis Vargas, PE, CFM
City Engineer

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

RE: REVIEW OF EAST TREASURE HAVEN PHASE II SUBDIVISION

Dear Mr. Olivo,

Please find conditions 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 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,

A handwritten signature in black ink, appearing to read 'Luis Vargas'.

Luis Vargas, PE, CFM



Subdivision Review

Subdivision Name: East Treasure Haven Phase II
Proposed Use: 114 Lots Single Family and 2 Lots Multi-Family
Location: Northeast corner of Haine Drive and Whalen Rd
Developer: Armando Elizarde
Engineer: Jack Brown of Brown, Leal & Associates / (956) 428-4014

Approval: ☒ Yes ☐ Yes with Comments ☐ No

Comments: 1. No Comments

Juan Saucedo Jr. Fire Marshal
Departmental Official Signature

(956) 216-5790
Contact Number

Fire Prevention
Department

jsauceda@myharlingen.us
Contact e-mail

December 13, 2022
Date

Juan Saucedo Jr
Signature

Attachment II – Harlingen Water Works



HARLINGEN
WATERWORKS
SYSTEM

MEMORANDUM

December 30, 2022

To: Xavier Cervantes, Planning Director
Planning and Development
City of Harlingen

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

Subject: East Treasure Haven Phase II Subdivision
Plat Submittal #4 – APPROVED AS NOTED

Joseph A.
Lunn, E.I.T.

Digitally signed by Joseph A. Lunn, E.I.T.
DN: cn=Joseph A. Lunn, o=City of Harlingen,
ou=Waterworks System, email=jalunn@cityofharlingen.org,
date=2022.12.30 17:53:12 -0600

Document(s) Reviewed:
Utility Plan & Final Plat

Background:

- Site is located inside the City limits.
- Site is located inside the HWWS Water Certificate of Convenience and Necessity
- Site is located inside the Water Mandatory Connection Area
- Site is located inside the HWWS Sewer Certificate of Convenience and Necessity
- Site is located inside the Sewer Mandatory Connection Area

Water Availability:

- HWWS has sufficient capacity at the water plant to meet the domestic and fire demands for this site.
- There is an existing 12-inch PVC water main running parallel with the southwest property line along Haine Drive. There is an existing 12-inch PVC water main stub out from this main to the site located at the southwest corner of the property.
- There is an existing 8-inch PVC water main running parallel with the northwest property line along the north 1/3rd of the property.
- There is an existing 12-inch water main located in the existing right of way for Golden Bear Drive, located approx. 250' southeast of the project site.
- There are multiple fire hydrants located along the south side of Haine Drive along the frontage of the property.

Sewer Availability:

- HWWS has sufficient capacity at the wastewater plant to meet the sewage demands for this site.
- Existing 12-inch PVC gravity sewer main along the north side of Haine Drive. The gravity main varies from approx. 11.6 feet to 12.9 feet deep.
- Sewage from this site eventually discharges to HWWS Lift Station #73 located at 3302 Haine Drive.

Attachment II – Harlingen Water Works

Utility Plan

- The current proposed tie-in to the existing 8" water line is rejected due to that line being scheduled to be abandoned. This will also be in direct conflict with the neighboring subdivision's main sewer line. We had discussed in our last meeting that the tie-in would need to be shifted southwest to avoid these conflicts. In lieu of submitting a new preliminary utility plan, HWWWS would prefer the tie-in correction be addressed in the construction plans due to the fact that the timing in which the neighboring construction proceeds may alter the configuration of the tie-in. See red lines for additional detail. In the event that the tie-in in this vicinity becomes no longer possible, HWWWS will defer to the previously approved tie-in location under the plans submitted and reviewed under submittal #1. The corresponding letter from HWWWS is dated 04/29/2022.

Final Plat

- Include the proper notes regarding HWWWS providing service.

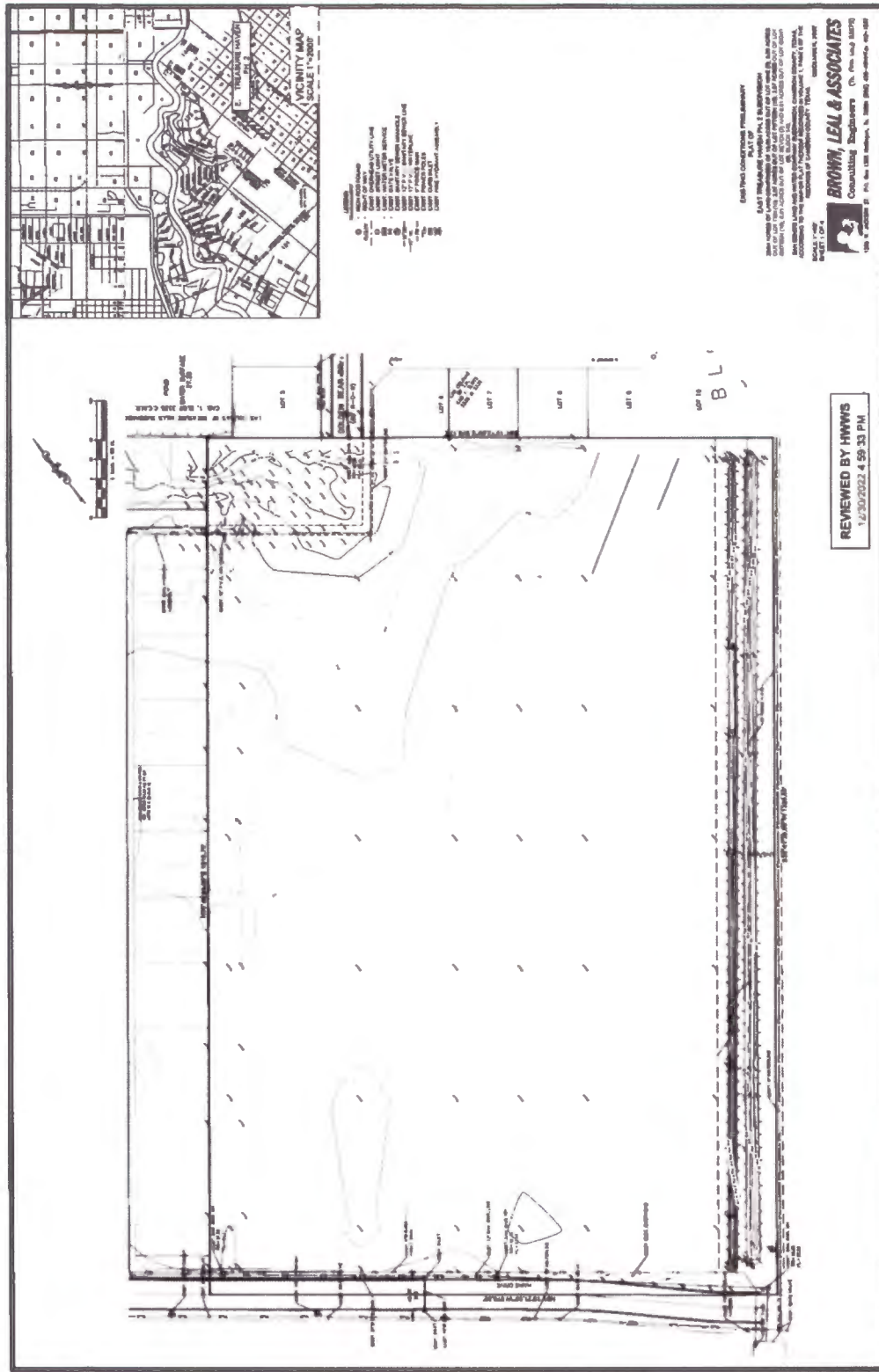
General:

- Developer shall be responsible for all surveying and engineering associated with the design and construction of the water and sewer improvements as required.
- All improvements must comply with the HWWWS Approved Materials List and latest version of the Standard Details.
- Current HWWWS Standard Details are available in AutoCAD format on the HWWWS website at www.hwws.com under the Downloads tab within the Engineering department.
- All water and sewer improvements must comply with applicable TCEQ requirements.
- If the developer requests HWWWS to execute the plat prior to completion of the modifications to the existing water & sewer facilities, a Letter of Credit (LOC) or a Check in an amount equal to the developer's estimated costs of construction must be submitted to HWWWS. The developer's engineer is to submit a cost estimate for this work for review and approval by HWWWS prior to submission of the LOC or check.
- A full set of water and sewer construction plans must be submitted to Harlingen Waterworks System for review and approval prior to commencement of construction.
- The developer is responsible for any temporary and permanent easements that may be required.
- HWWWS comments subject to modification based on additional information of future comments issued by the City of Harlingen, changes made to the plans after approval has been given, or if new information is uncovered through field discovery.
- Upon completion of construction, developer's engineer is required to submit all required Project Closeout Documents to the HWWWS Engineering Department. This information is available on the HWWWS web site at www.hwws.com, under the Engineering, Downloads tab. Plats will not be signed by HWWWS until the closeout process has been completed.

Attachments: Plan Set Markups

Cc: Harlingen Development Review Committee

Attachment II – Harlingen Water Works

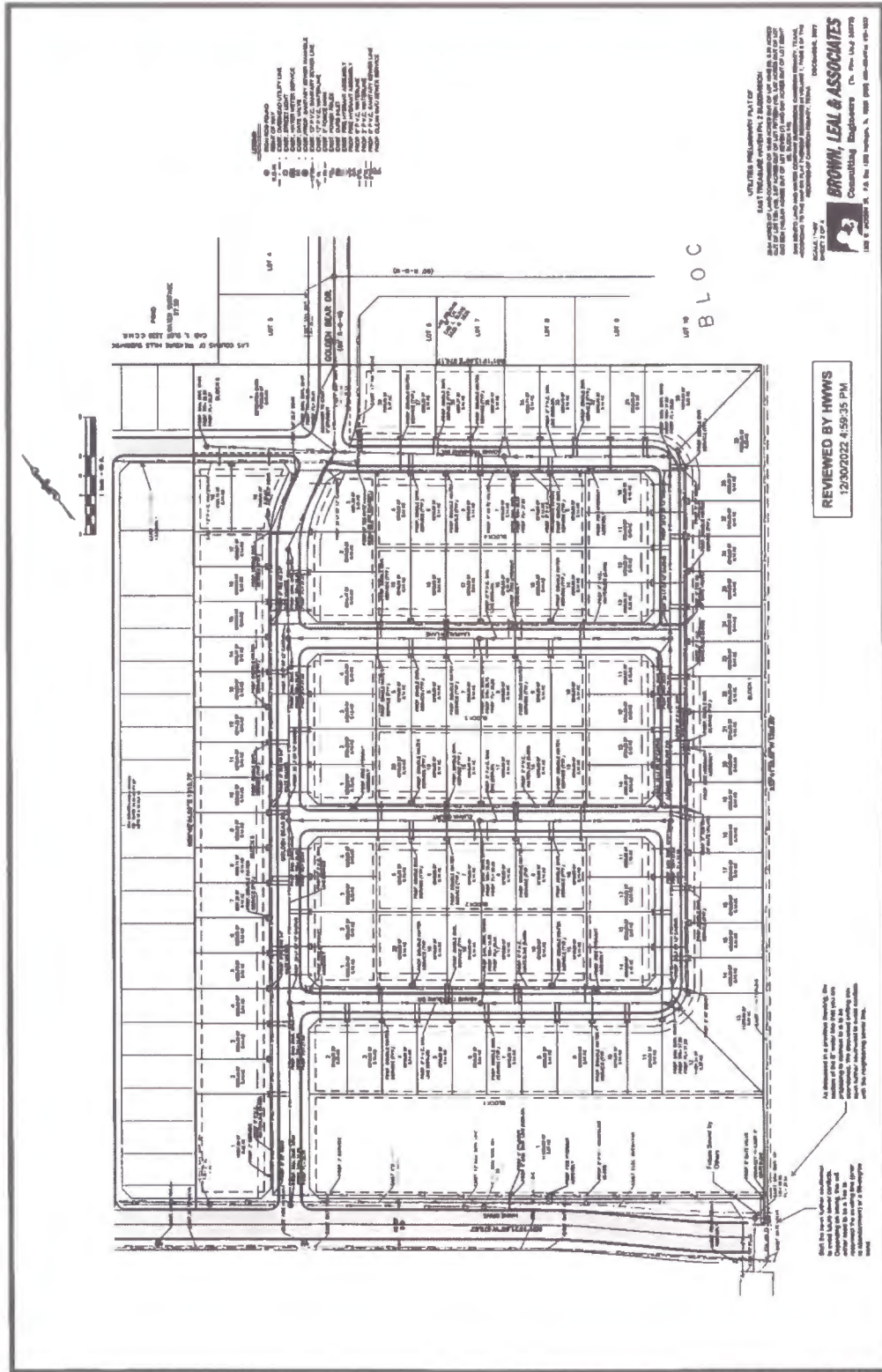


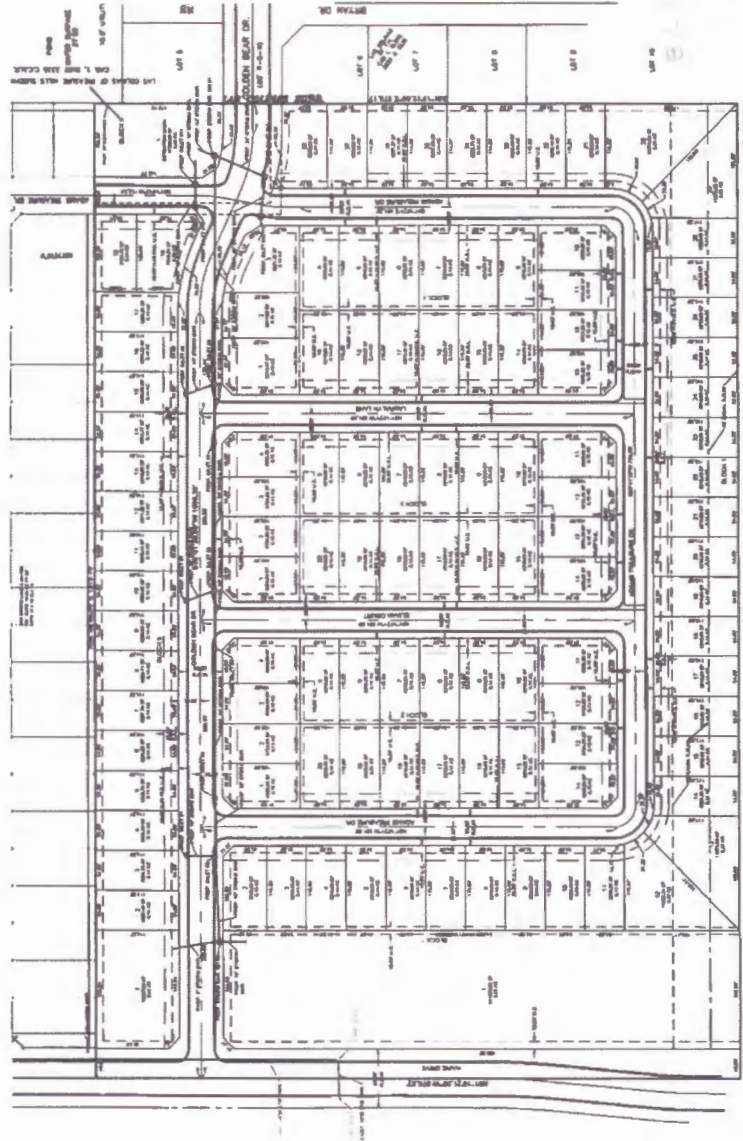
REVIEWED BY HHWS
1/2/2022 4:59:33 PM

BROWN, LEAL & ASSOCIATES
Consulting Engineers, Inc. and Surveyors
1000 N. 10th Street, Suite 100, Harlingen, TX 79520
Phone: (361) 291-1111
Fax: (361) 291-1112
www.brownleal.com

East Texas Consulting Engineers
East Texas Consulting Engineers, Inc. is a professional engineering firm providing engineering, architectural, and surveying services to the public and private sectors. The firm is licensed in the state of Texas and is a member of the American Society of Civil Engineers (ASCE) and the Texas Society of Professional Engineers (TSPE). The firm has a long history of providing high-quality engineering and architectural services to its clients. The firm is currently working on a variety of projects, including water treatment facilities, industrial facilities, and commercial buildings. The firm is committed to providing excellent customer service and to staying up-to-date on the latest engineering and architectural technologies.

Attachment II – Harlingen Water Works





LETTERS FROM OUR READERS

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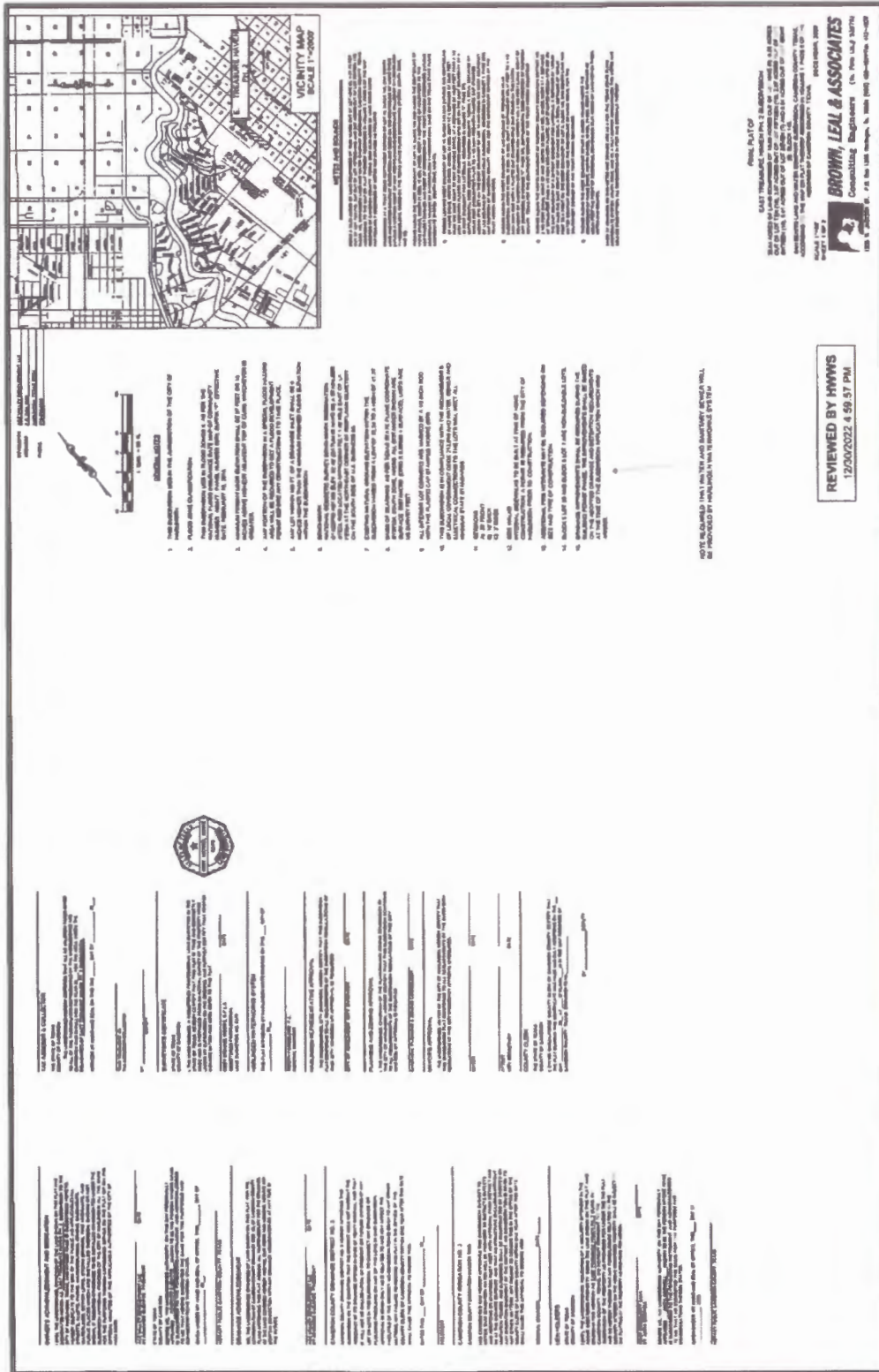
DISCOUNTS & PARTIAL
ORDINANCE FREQUENCY PLAY OF
EAST TOWNSHIP HARBOR PH. 3 DISCOUNT

[illegible]

BROWN, LEAL & ASSOCIATES
Consulting Engineers (In. P.E. and M.E. Licensees)
1708 W. McClellan St., P.O. Box 1222, Houston, Tx 77250 (713) 438-4174

REVIEWED BY HMWS
12/30/2022 4:59:52 PM

Attachment II - Harlingen Water Works



[illegible]

10(3)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to authorize the closing, vacating, transferring, and abandonment of a 0.05 acre tract of land located between Lot 27, Block 2, L & L Subdivision and Lot D, Southwest Harlingen Addition, located on the west side of "K" Street approximately 48 feet north of Filmore Avenue, and authorizing the City Manager to execute all documents for the conveyance and release of alley right-of-way and convey to James DeLeon. Applicant: James DeLeon. Attachment (**Planning & Development**)

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- January 12, 2024 – Letter requesting abandonment submitted to the City; application deemed incomplete pending submittal of the required letters from the utility companies (**ATTACHMENT I**).
- February 12, 2024 – Applicant submits required letter from the utility companies; application deemed complete.
- February 13, 2024 – Memo of no objection submitted by the Engineering Department.
- March 20, 2024– Discussion on the requested abandonment before the City Commission.

Summary

- The applicant is requesting the abandonment of an existing 16.80 ft. wide alley right-of-way that is located on the west side of "K" Street approximately 48 feet north of Filmore Avenue.
- The subject alley proposed for abandonment is 16.80 feet wide and 125 feet in length and is located adjacent to the north of the lot owned by the applicant. The applicant has since constructed a 6-foot cedar fence around the perimeter of the alley right-of-way. The subject right-of-way dead ends since the property to the west is developed with a church. (**ATTACHMENT II-VIII**).
- The requested alley abandonment has been reviewed and approved by the City Engineer. The appropriate utility companies also reported no objection. (**ATTACHMENT VIII AND IX**).
- The adjacent property owner to the north of the subject alley right-of-way was advised by certified letter of the abandonment and reported no interest in the

subject right-of-way. (ATTACHMENT X).

- If approved by the City Commission, the applicant will have to escrow funds with the city to conduct an appraisal of the property.
- After payment for the land is conducted, based on the appraisal amount, the city attorney will prepare a deed for the transfer of ownership of the land.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends authorizing staff to work with the applicant towards the sale of the city property.

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

Comments:

Property needs to be appraised and sold to the property owner making the request.

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

Attachment I

To Whom it may concern,

I, James DeLeon, give
David DeLeon Authority to
represent me in acquiring the
property next to 1202 W. Filmore
Hartlingen, Tx 78550. He also
has authority to sign on
closing contract

James DeLeon

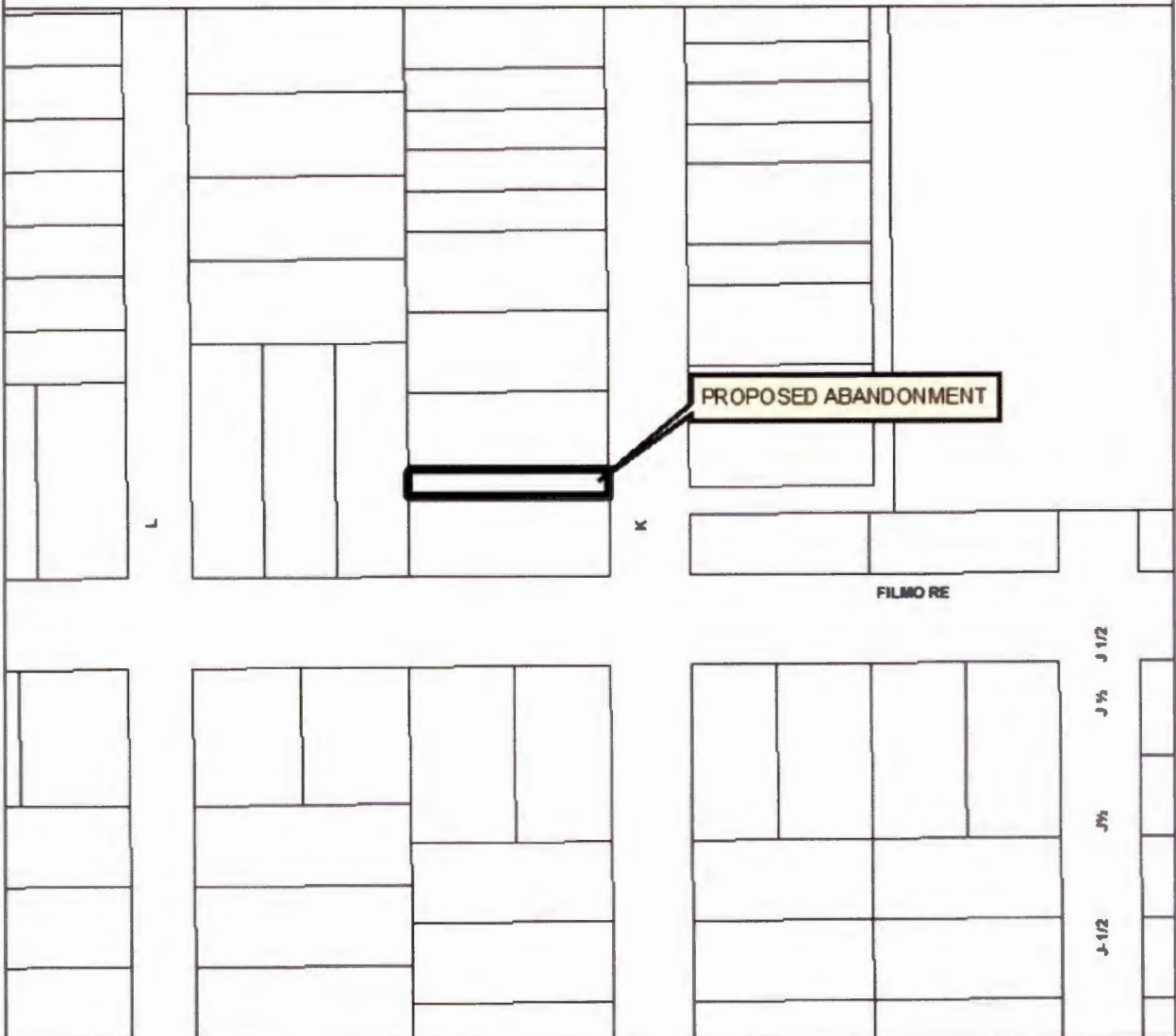


DATE: 10.11.23

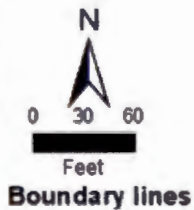
Attachment II



Request for the closing, vacating, transferring and abandonment of a 0.05 acre tract of land located between Lot 27, Block 2, L and Subdivision and Lot D. Southwest Harlingen Addition, located on the west side of "K" Street approximately 48 feet north of Filmore Avenue, and authorizing the City Manager to execute all documents for the conveyance and release of alley right-of-way and convey to James DeLeon. Applicant: David DeLeon, c/o James DeLeon.



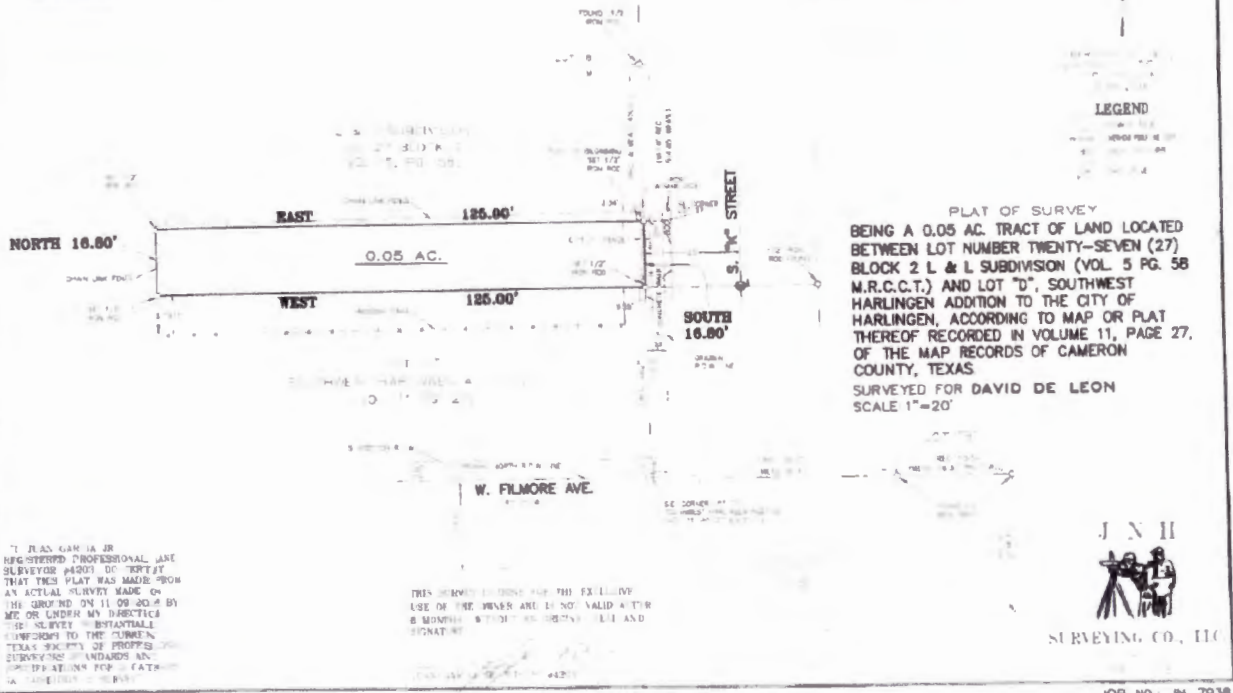
Boundary Lines



Attachment III

NOTE: THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT AND IN RESPECT TO ANY AND ALL EASEMENTS, ENCUMBRANCES, ERECTIONS OR ENCLOSURES THAT MAY BE OF RECORD, FOR FURTHER EVIDENCE, SURVEY PROPERTY IS OWNED BY CITY OF HARLINGEN, NO ENCUMBRANCE FOUND.

FLOOD INSURANCE RATE MAP OF COMMUNITY PANEL NO. 40081/000007 DATE 02/18/2005 ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN



JOB NO. JN-7938

Attachment IV

J N H



SURVEYING CO. L.L.C.

November 14, 2023

Metes and bounds description of a 0.05 acre tract of land located south of and adjacent to Lot 27, Block 2, of the L & L Subdivision, in the City of Harlingen Cameron County, Texas according to the map or plat thereof recorded in Volume 5, Page 58, of the Map Records of Cameron County, Texas, and said 0.05 acre tract being more particularly located and described as follows;

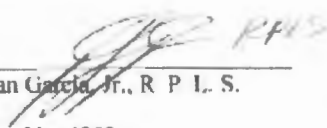
Beginning at a $\frac{1}{2}$ " iron pin set on the existing west right-of-way line of "K" Street said iron pin bears Due West, 5.00' from the southeast corner of Lot 27, Block 2, L & L Subdivision and being the northeast corner of the tract herein described;

Thence, along the west right-of-way line of "K" Street and east boundary line of said alley, Due South, a distance of 16.80 feet to a $\frac{1}{2}$ " iron pin set on the north boundary line of Lot "D", of the Southwest Harlingen Addition (recorded in Vol. 11, Page 27, M. R. C. C. T.), for the southeast corner of this tract;

Thence, leaving the west right-of-way line of "K" Street, along the north boundary line of said Lot "D", Due West, a distance of 125.00 feet to a $\frac{1}{2}$ " iron pin set on the northwest corner of said Lot "D", for the southwest corner of this tract;

Thence, Due North, a distance of 16.80 feet to a $\frac{1}{2}$ " iron pin set on the southwest corner of said Lot 27, for the northwest corner of this tract;

Thence, along the south boundary line of Lot 27, Due East, a distance of 125.00 feet to the place of beginning, containing 0.05 acre of land more or less, inclusive of any and all easements, restrictions, exceptions or dedications that may be of record.


Juan Garcia, Jr., R P L S.

Reg No. 4203

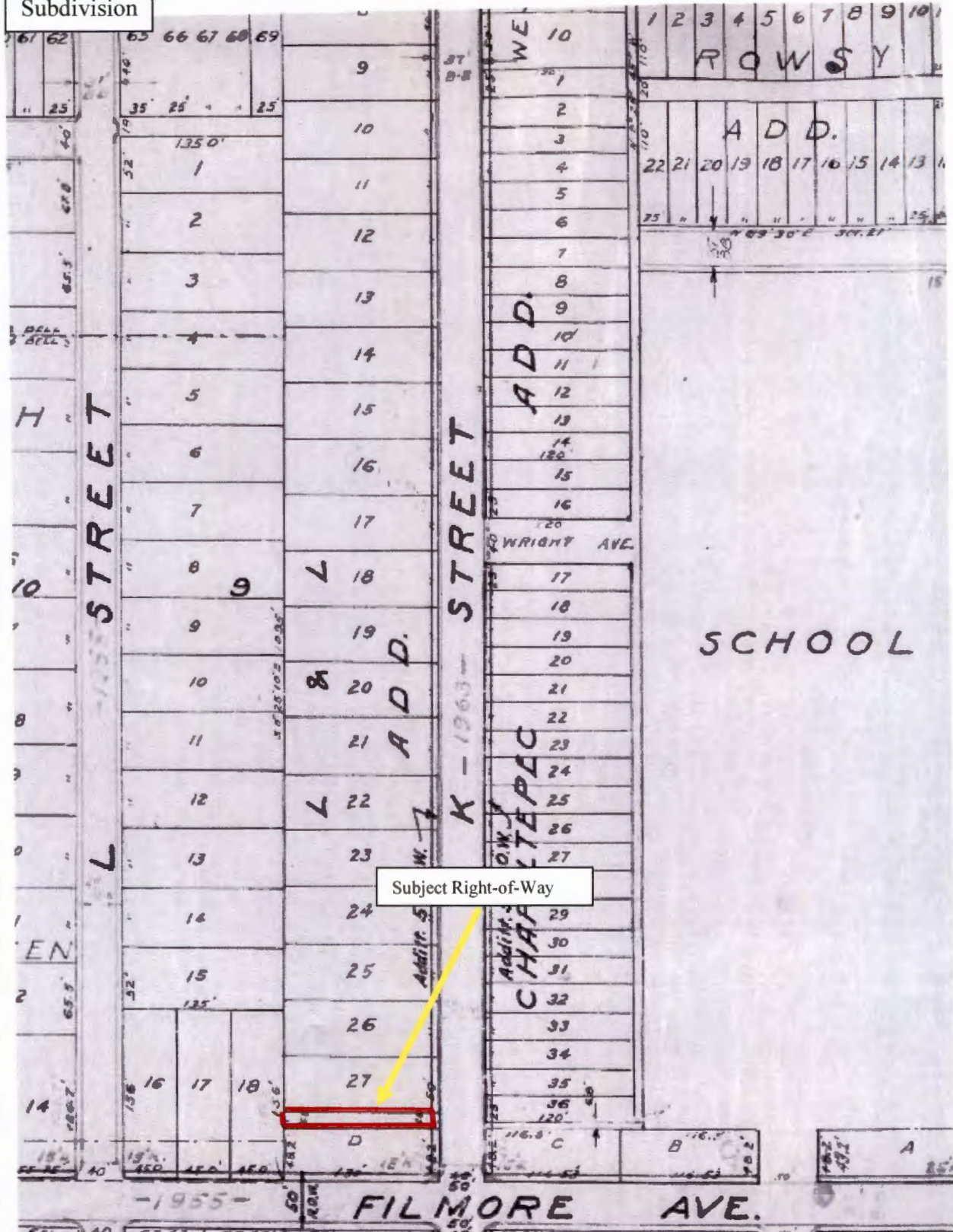


1221 E. Tyler
Harlingen, Texas 78550
Phone # (956) 423-1702 Fax # (956) 423-1488
Email: jnhsurveying@yahoo.com

JN-7938

Attachment V

Subdivision

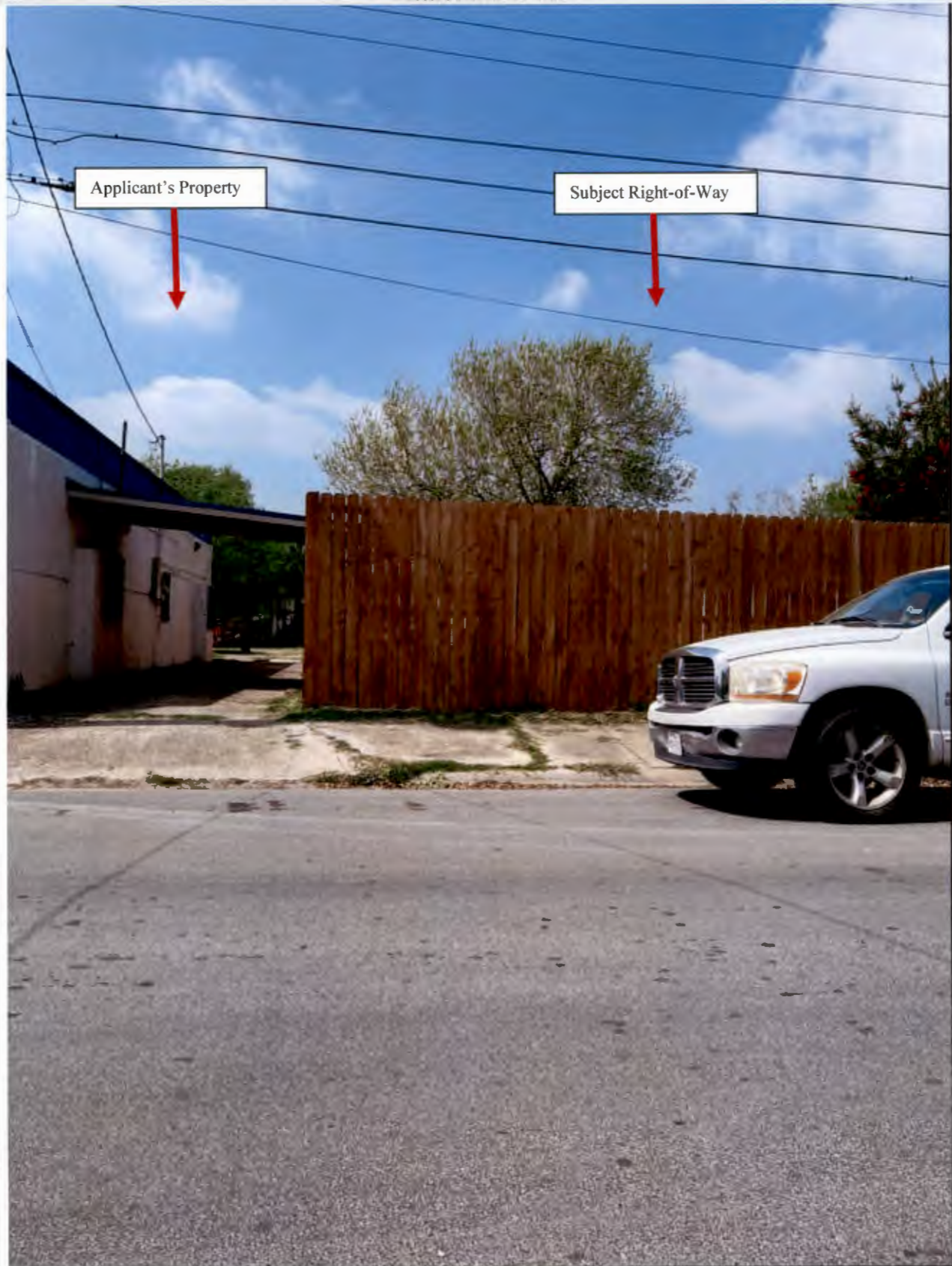


Attachment VI

Aerial Map



Attachment VII



Attachment VIII

Joel Olivo

From: Luis A. Vargas
Sent: Tuesday, February 13, 2024 4:06 PM
To: Joel Olivo
Subject: Re: ROW Abandonment

Joel,

I don't see how the City will need little ROW section. It dead ends. I would only ask, can the City sell this land instead of abandoning/donating it?

Thanks,

Luis

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Joel Olivo <jolivo@harlingentx.gov>
Sent: Tuesday, February 13, 2024 10:51:26 AM
To: Luis A. Vargas <lvargas@harlingentx.gov>
Subject: ROW Abandonment

Luis,

David Deleon submitted a right-of-way abandonment request to abandon the right-of-way located north of 1202 W. Filmore. Attached is an aerial view map of the property along with a metes and bounds description, and letters from the utility companies. Pending is a letter from AEP and Texas Gas Service which I have emailed but have not received a response. Please review and advise on the request by Wednesday, February 28, 2024. Thanks in advance.

Joel Olivo
Assistant Planning and Development Director
City of Harlingen

Attachment IX

Joel Olivo

From: Tom McLemore <tmclmore@hidcc1.org>
Sent: Monday, November 27, 2023 9:47 AM
To: Joel Olivo; Gabriel Trevino; sm8285@att.com; renecasares@onegas.com; Rolando.Rodriguez@Charter.com; robert.martinez@charter.com
Subject: RE: Right-of-Way Abandonment

The Harlingen Irrigation has no objection.

Tom McLemore
General Manager
Harlingen Irrigation District
301 E. Pierce
Harlingen, TX 78550
Tel: 956-423-7015
Fax: 956-423-3178
Mobil: 956-367-6599

From: Joel Olivo <jolivo@harlingentx.gov>
Sent: Monday, November 20, 2023 1:57 PM
To: Gabriel Trevino <getrevino@hwws.com>; Tom McLemore <tmclmore@hidcc1.org>; sm8285@att.com; renecasares@onegas.com; Rolando.Rodriguez@Charter.com; robert.martinez@charter.com
Subject: Right-of-Way Abandonment

Good Afternoon,

The City of Harlingen has received a request from the property owner of 637 S. "K" Street to abandon the right-of-way located north of the subject property. Attached is a copy of the survey for your reference. Please review and advise if you do or do not have any objection on the requested abandonment. Thanks in advance.

Joel Olivo
Assistant Planning and Development Director
City of Harlingen

Attachment IX

Joel Olivo

From: Martinez, Robert <Robert.Martinez@charter.com>
Sent: Thursday, January 18, 2024 3:55 PM
To: Joel Olivo
Subject: RE: Right-of-Way Abandonment

Spectrum has no objection to the abandonment of the this such right of way. We have no system or planning to have system along this right of way. Our system is aerial and runnels north and south along K street.

Sincerely Robert Martinez
Spectrum construction coordinator.



Robert Martinez | Construction Coordinator – South Texas RGV | 956-535 3264
1514 S. 77 Sunshine Strip | Harlingen, TX 78550
Robert.Martinez@Charter.com



From: Joel Olivo <jolivo@harlingentx.gov>
Sent: Friday, January 12, 2024 2:57 PM
To: Gabriel Trevino <getrevino@hwws.com>; sm8285@att.com; renecasares@onegas.com; Martinez, Robert <Robert.Martinez@charter.com>; Rolando.Rodriguez@Charter.com; rmoreno2@aep.com; LUNA, CHRISTOPHER B <cl3712@att.com>
Subject: [EXTERNAL] Right-of-Way Abandonment

CAUTION: The e-mail below is from an external source. Please exercise caution before opening attachments, clicking links, or following guidance

Good Afternoon,

The City of Harlingen Planning and Development Department received a request from the property owner at 1202 W. Filmore to abandon the right-of-way located north of the subject property. Attached is a copy of the survey for your reference. Please review and advise if you do or do not have any objection to the abandonment of the right-of-way. Thanks in advance.

Attachment IX

Joel Olivo

From: Gabriel E. Trevino <getrevino@hwws.com>
Sent: Monday, January 22, 2024 11:39 AM
To: Joel Olivo; sm8285@att.com; renecasares@onegas.com; robert.martinez@charter.com; Rolando.Rodriguez@Charter.com; rmoreno2@aep.com; LUNA, CHRISTOPHER B
Subject: RE: Right-of-Way Abandonment

Good Morning Joel,

I apologize for the delayed response. HWWs has no objections to abandoning the 0.05 AC ROW north of 1202 W. Filmore Ave.

Sincerely,

Gabrie E. Trevino Jr., P.E.
Utility Engineer
Office: 956-430-6110
Email: getrevino@hwws.com



HARLINGEN
WATERWORKS
SYSTEM

From: Joel Olivo <jolivo@harlingentx.gov>
Sent: Friday, January 12, 2024 2:57 PM
To: Gabriel E. Trevino <getrevino@hwws.com>; sm8285@att.com; renecasares@onegas.com; robert.martinez@charter.com; Rolando.Rodriguez@Charter.com; rmoreno2@aep.com; LUNA, CHRISTOPHER B <cl3712@att.com>
Subject: Right-of-Way Abandonment

Good Afternoon,

The City of Harlingen Planning and Development Department received a request from the property owner at 1202 W Filmore to abandon the right-of-way located north of the subject property. Attached is a copy of the survey for your reference. Please review and advise if you do or do not have any objection to the abandonment of the right-of-way. Thanks in advance.

Joel Olivo
Assistant Planning and Development Director
City of Harlingen

Attachment IX

Joel Olivo

From: Shursen <Shursen@whitmanlandgroup.com>
Sent: Tuesday, January 23, 2024 9:55 AM
To: Joel Olivo
Subject: Fw: Right of Way Abandonment - 637 S. K Street, Harlingen, Tx

Hi Joel,

I just want to clarify with you on this one: the address is stated as 637 S. K Street (east side of the road). The survey provided is for the portion of land between 636 and 638 K Street (west side of the road). We presume the survey as the correct exhibit. But, to avoid any confusion I just want to confirm with you. The AT&T engineer has determined we have no conflicts in this area. We can provide a signed Letter of No Objection. AT&T typically charges a \$500 fee to process this. I can turn it around in 1-2 days.

Please feel free to give me a call if you have any questions.

Thanks,
Ryan Shursen



Ryan Shursen – Project Manager
shursen@whitmanlandgroup.com / 972-658-8237 cell

Whitman Land Group, LLC
Houston: 832.730.5321 - Dallas: 972.318.9688
San Antonio: 210.634.1736 - Austin: 512-580-4979
<https://link.edgepilot.com/s/feb1d833/noGiqD0CBU-1tORtrjmlA?u=http://www.whitmanlandgroup.com/>



From: Shursen <Shursen@whitmanlandgroup.com>
Sent: Wednesday, December 6, 2023 10:30 AM
To: LUNA, CHRISTOPHER B <cl3712@att.com>, Matthew Whitman <matthew@whitmanlandgroup.com>; Ryan Abernathy <ryan@whitmanlandgroup.com>
Cc: RODRIGUEZ, EDUARDO <er111w@att.com>
Subject: Re: Right-of-Way Abandonment - 637 S. K Street, Harlingen, Tx

Brandon,
we'll take care of it.

Thanks,
Ryan S.

Attachment X

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Rael Martinez c/o
 Javier Molina
 636 South K St
 Harlingen, TX 78550

COMPLETE THIS SECTION ON DELIVERY

A. Signature X <i>[Signature]</i>		☐ Agent ☐ Addressee
B. Received by / Printed Name	C. Date of Delivery	
D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No		
3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ G.O.D.		
4. Restricted Delivery? (Extra Fee) ☐ Yes		

City Department
 Phone
 78550
 60
 (fax)

2. Article Number
 (Transfer from service label)

7012 1010 0002 6782 8254

PS Form 3811, February 2004

Domestic Return Receipt

102505-02-M 1540

636 South K
 Harlingen, TX 78550

RE: City Right-of-way just south of your property legally described as Lot 27, Block 2, L&I Subdivision

Dear Mr. Martinez:

This letter is to make it official that you have until February 22, 2024 to provide me a survey split into two as per our discussion from our meeting from late in November of 2023.

If you fail to do so the city will proceed in selling the property to the property owner just south of the city property.

If you have any questions, please contact me at (956) 216-5101 or by email at xcervantes@harlingentx.gov.

Sincerely,

X. Cervantes
 Xavier Cervantes, AICP, CPM
 Planning and Development Director

U.S. Postal Service CERTIFIED MAIL[®] RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

7012 1010 0002 6782 8254

Postage	\$
Certified Fee	\$
Return Receipt Fee (Ink/embossed Required)	\$
Restricted Delivery Fee (Ink/embossed Required)	\$
Net Postage & Fees	\$

Rael Martinez c/o Javier Molina
636 South K Street
Harlingen, TX 78550

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item: Consideration and possible action to approve an ordinance on first reading amending Chapter 38 (Solid Waste), Master Fee Schedule of the Harlingen Code of Ordinances, establishing fees for commercial trash containers, provided by the City of Harlingen as they relate to Chapter 38-69. Attachment <i>(Public Works)</i> <i>(This item was tabled at the March 6, 2024, Meeting)</i> .
Prepared By: Christopher D. Torres, Director
Brief Summary: Ordinance Chapter 38-69 references fees for commercial trash containers for ONLY 3CYD containers. We offer services through several additional sizes and fees. See attachment. <i>(Public Works)</i>
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:

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS, AMENDING CHAPTER 18, MASTER FEE SCHEDULE OF THE HARLINGEN CODE OF ORDINANCES, ESTABLISHING FEES FOR COMMERCIAL TRASH CONTAINERS, COLLECTION AND DISPOSAL OF ALL GARBAGE, BRUSH/YARD WASTE AND TRASH WITHIN THE CITY LIMITS RELATED TO CHAPTER 38-69 SERVICE CHARGES.

WHEREAS, the City of Harlingen has adopted fees by various means, actions, and adoptions; and

WHEREAS, the City of Harlingen deems it appropriate to amend the Fee Schedule as needed, in accordance with the City's authority

WHEREAS, the City of Harlingen comprises commercial or industrial businesses, churches, public or private schools, as well as public charitable entities, collectively referred to as commercial units.

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

Chapter 38 (Solid Waste), Master Fee Schedule of the Harlingen Code of Ordinances, establishing fees for Commercial trash containers, provided by the City of Harlingen as they relate to Chapter 38-69. Ordinance Chapter 38-69 references fees for commercial trash containers for ONLY 3CYD containers. We offer services through several additional sizes and fees.

These entities will incur charges based on the specified monthly rates outlined below: See attachment.



City of Harlingen Solid Waste Service Fees

Commercial Rates

2 Cu. Yd.		3 Cu. Yd.		4 Cu. Yd.		6 Cu. Yd.		8 Cu. Yd.	
x's per wk	Mo. Fee	x's per wk	Mo. Fee	x's per wk	Mo. Fee	x's per wk	Mo. Fee	x's per wk	Mo. Fee
1x	\$37.70	1x	\$56.54	1x	\$75.40	1x	\$113.08	1x	\$150.80
2x	\$75.40	2x	\$113.08	2x	\$150.80	2x	\$226.16	2x	\$301.60
3x	\$113.10	3x	\$169.62	3x	\$226.20	3x	\$339.24	3x	\$452.40
4x	\$150.80	4x	\$226.16	4x	\$301.60	4x	\$452.32	4x	\$603.20
5x	\$188.50	5x	\$282.70	5x	\$337.00	5x	\$565.40	5x	\$754.00
6x	\$226.20	6x	\$339.24	6x	\$452.40	6x	\$678.48	6x	\$904.80

Rates for Commercial Metal Containers = \$18.85 per Cubic Yard

NOTE: Commercial Rates do not include Brush and Debris services

Account	Rate	x's per week	container

Residential Rate	\$18.00	2x	96 Gallon
Multi Housing Rate	\$18.00	2x	Share container
	\$14.00	2x	8 or more Share container

NOTE: Residential Rates include Brush And Debris Service 1x a month

Roll-Off Fees 30cy/40 cy			
Haul Rate	\$165.00		
Tonnage	\$93.50	per ton	
Rental	\$120.00	if services less then 2 times in a 30 day period	

Prices do not include Taxes

PASSED AND APPROVED on first reading at a regular meeting of the City Commission on the _____ day of March 2024.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission on the _____ day of April 2024.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

106)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading amending Chapter 18, Master Fee schedule of the Harlingen Code of Ordinances adding the microchip fee for domestic dogs and cats to the services already provided by the City of Harlingen as they relate to Chapter 6 Animals.

Prepared By (Print Name): Shannon Harvill
Title: Environmental Health Director

Signature: 

Brief Summary:

The City of Harlingen Health Department is requesting an amendment to the ordinance of the City of Harlingen, Texas amending Chapter 18, Master Fee schedule of the Harlingen Code of Ordinances adding the microchip fee of \$10.00 for domestic dogs and cats to the already services provided by the City of Harlingen as they relate to Chapter 6 Animals.

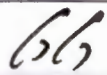
Funding (if applicable):

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

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

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

Staff Recommendation:

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

Comments:

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

ORDINANCE NO. 2024-_____

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

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 microchip fee for domestic dogs and cats for the Harlingen Animal Shelter and to read as follows:

Microchip Fee	\$10.00 per domestic dog and cat
---------------	----------------------------------

That Chapter 18, Master Fee Schedule of the Code of Ordinances of the City of Harlingen is hereby amended by allowing the Animal Shelter Manager to have specials on prices and clinics for microchips for dogs and cats up to once a month on special days and holidays.

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, TITLE 5, SUBTITLE A, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

10(5)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to authorize the City Manager to purchase software for the Animal Shelter to be able to enter the animal's data during intakes, update and gather information from microchips and create reports as needed.

Prepared By (Print Name): Shannon Harvill
Title: Environmental Health Director

Signature: 

Brief Summary:

The City of Harlingen Health Department is requesting the purchase of a software program for the Animal Shelter. The software is for the shelter staff to be able to input and create intake forms for the animals entering the shelter and update as they are released and assist them with reports. The software will also give the staff the ability to get information about the owner if the animal has a microchip and staff can get in contact with them.

Funding (if applicable):

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

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

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

Staff Recommendation:

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

Comments:

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

Shannon Harvill

From: Kristen McCann <Kristen.McCann@Pethealthinc.com>
Sent: Friday, March 1, 2024 8:36 PM
To: Courtney Medina; Shannon Harvill
Subject: Re: Help needed Vendor #12310 PETHEALTH SERVICES (USA) INC.
Attachments: PetPoint Overview.pdf; PetPoint Support.pdf; 24Petcare Advantage Program.pdf; PetPoint Onboarding Experience.pdf

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi Shannon,

Thank you for taking the time to speak with us today about PetPoint and your team's operations.

I am attaching a few brochures, which include an overview of PetPoint functionality and Support offerings, outline of the Advantage Program, and description of the onboarding process.

Here is a basic pricing overview of the software version we discussed on the call:

- **PetPoint Professional (Basic Support Included) with Advantage Program Enrollment - \$0 annually**
 - There are over 200 standard reports included in PetPoint. The standard reports and documents in PetPoint meet the needs of most of our organizations. However, if your team does decide that it's important to have the ability to create custom reports, documents, and kennel cards, the Builders Suite is an optional add-on platform that is \$4,500 annually.
- There is a one-time initial onboarding fee which will cover the database creation, guided setup/customization, and setup assistance for your PetPoint Admin(s). This **one-time onboarding fee would be \$900** and would include approximately 3-6 virtual setup meetings.

Let us know if you have any other questions!

Have a great weekend,

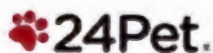
Kristen McCann

Client Services Director, Software Specialist

24Pet® - part of the Independence Pet Group® family.

Email: kristen.mccann@pethealthinc.com

Phone: +1 224.202.5486 (fastest reply by text or email)



From: Kristen McCann <Kristen.McCann@Pethealthinc.com>
Sent: Wednesday, February 28, 2024 10:43 PM
To: Courtney Medina <Courtney.Medina@Pethealthinc.com>; Shannon Harvill <sharvill@harlingentx.gov>
Subject: Re: Help needed Vendor #12310 PETHEALTH SERVICES (USA) INC.

Hi Shannon,

I'd be happy to discuss PetPoint further! I'm including a brochure outlining functionality available.

Would you be available for a call to discuss your operations and software needs in more detail? That will help me determine a potential software package and pricing. Here's a link to my calendar which will schedule a Microsoft Teams meeting: <https://link.edgepilot.com/s/89da5ee4/uvncy8YFJ0eX4pLPPNemg?u=https://calendly.com/kristen-mccann-24pet>

In the meantime, here is a short 6-minute video which outlines core functionality in PetPoint:
https://link.edgepilot.com/s/29443812/6_G7rhFfh0GEm3EQabDo8w?u=https://vimeo.com/705397358/89275713f9.

This is a pre-recorded overview of our Case Module (to support animal control/field services) which your officers may find helpful: https://link.edgepilot.com/s/4c1017c1/PSsO-Kif-k_twnGWR4LTOQ?u=https://vimeo.com/461537295/fe43155d52.

Looking forward to speaking with you,

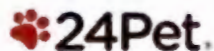
Kristen McCann

Client Services Director, Software Specialist

24Pet® - part of the Independence Pet Group® family.

Email: kristen.mccann@pethealthinc.com

Phone: +1 224.202.5486 (fastest reply by text or email)



From: Courtney Medina <Courtney.Medina@Pethealthinc.com>

Sent: Tuesday, February 27, 2024 10:09 PM

To: Shannon Harvill <sharvill@harlingentx.gov>

Cc: Kristen McCann <Kristen.McCann@Pethealthinc.com>

Subject: RE: Help needed Vendor #12310 PETHEALTH SERVICES (USA) INC.

Hey Shannon,

I'm copying in my colleague Kristen who helps animal welfare organizations, such as yourself, see if PetPoint is the right solution for them. Typically Kristen set's up a first call to assess your needs, and get an accurate quote over to you.

Please let me know if I can assist in any way. Thanks!

Courtney

Courtney Medina (she/her)

Animal Welfare Director, Client Services

24Pet® - part of the Independence Pet Group® family

Email: Courtney.Medina@Pethealthinc.com

Phone: +1 224.324.0031



PETPOINT DATA MANAGEMENT SYSTEM

*A comprehensive, easy-to-use,
web-based data management
system for shelters and
rescue groups.*



Millions of intakes and adoptions have been recorded via PetPoint since its launch in 2005.

WHAT IS PETPOINT?

PetPoint is a cloud-based, relational Data Management System designed to assist animal welfare organizations in efficiently managing shelter operations including effectively tracking how an animal enters your care, all details about the animal, the care it receives during its stay, its eventual outcome, and everything in between. We offer two strong versions of PetPoint: PetPoint Professional, or PetPoint Enterprise for enhanced operational needs.

The software is a flexible solution that can serve organizations of any size or type. Your data is kept private, encrypted, secure, and available anywhere with internet availability. Because PetPoint is cloud-based, the functionality is available to both onsite shelter staff and remote users. PetPoint believes that your data belongs to you and because of that, you have access to all your historical data with no fear that you would lose it.

PetPoint works directly with 24PetWatch® to provide a comprehensive tool for your organization. You can automatically register microchips with the 24PetWatch database (which also partners with the AAHA Microchip Lookup Tool) just by using your PetPoint database, and without any registration fees. At the time an animal is adopted, PetPoint can automatically generate a 24PetWatch® Insurance discount offer for eligible animals.

Because of our strong partnerships in animal welfare, millions of intakes and adoptions have been recorded via PetPoint since its launch in 2005.



PETPOINT PROFESSIONAL

PetPoint Professional focuses on the data tracking that helps you better understand your overall animal care, and streamline operations.

From tracking animal visits, to managing robust medical treatments, to advanced needs including foster, humane investigations, animal licensing, community programs and more; PetPoint Professional allows you to keep track of what is going on within your organization.

With our extensive library of over 200 reports, PetPoint Professional helps you understand and manage your organizational operations as they relate to animal care, animal flow, and statistics. Cut your data however you need to show your lifesaving work.

Admins in your organization have the control to add and update values that appear in many drop-down menus, as well as medical or receipt items, and more to monitor data integrity.





FUNCTIONALITY IN PETPOINT PROFESSIONAL INCLUDES*

- Flexibility to manage: Animal Inventory, Length of Stay, and Capacity for Care Management
- Out of the Box Iframe to easily list animals (for both lost/found and adoption pages) directly from your database to your website or social media platform in real time
- Direct API with Adopt-a-Pet.com, Petharbor.com, and Petango.com to automatically list your animals available for adoption online in real time
- Visual Calendar and Patron appointment management connecting your appointments with your animal and person records
- Mobile Checkout for adopters & foster parents to remotely sign agreements from their SmartPhone, to process payments & give donations
- Comprehensive & fully customizable Medical Entry, including bundling your most common vaccines, and automatically scheduling the next treatment in the series
- Transfer your Animal Records awith your animal transports electronically with other organizations using the PetPoint or Chameleon Software Platforms

- Robust Animal Control Activity/Humane Law Enforcement Tracking and Reporting, including violation management and follow up for cases requiring multiple touchpoints
- Reporting in all entry areas offering thousands of report output possibilities - pull for months or years at a time 7 different kennel card formats to choose from to easily display animals in a printed format
- Smart Search to easily find & filter record information, and display search results in an easy to use dynamic Dashboard format

Included PetPoint Support with Web Form access to our Support Team, dozens of online tutorials, hundreds of online articles, and a Community Forum for engaging in discussions with other PetPoint Users

*For the full view of functionality in PetPoint Professional, schedule a demo by emailing PHISoftwareSolutions@Pethealthinc.com



PETPOINT ENTERPRISE

Upgrading to the Enterprise version of PetPoint offers many additional features on top of everything that is included in PetPoint Professional. The added functionality help to streamline more complex operations.

Additional Features as Part of PetPoint Enterprise

- Find available location and kennel management directly from your intake to determine where animals can be immediately housed
- Setup User Templates to quickly assign customized user access to PetPoint depending on their role within your organization
- Schedule Intakes/Outcomes – enter your intake and outcome operations ahead of time, showing that the operation is “Scheduled” until your team is ready to complete the operation. This includes integration with the Visual Calendar Edit Follow Up & Status – See daily task lists and mass complete Pending, Scheduled, or Started/In Progress operations for Foster, Intakes & Outcomes, Behavior, and Care Activity in addition to Medical items
- Scheduled Reports – Setup your favorite reports (by your desired parameters) to automatically generate and email to your selected email distribution list & interval
- Setup email templates and rules to email up to 3 reminders to your patrons for scheduled appointments
- Staff can utilize a Mobile Inventory to easily complete a daily shelter walk and confirm the location of all animals in care (including reporting on past completed inventories)
- Enhanced follow up functionality to complete daily medical, behavior, and care activity daily task lists and more
- Enhanced Technical Support including Phone, Live Chat, and Emergency/after hours contact



ADD-ON FUNCTIONALITY

Advanced Productivity:

- Included with Enterprise
- **Advanced Scheduling** – In addition to our Scheduling Module, Advanced Scheduling allows organizations to setup email templates and rules to email up to 3 reminders to your patrons for scheduled appointments
- **Mobile Inventory** – Staff can utilize a Mobile Inventory to easily complete “nose count” or daily shelter walk and confirm the location of all animals in care (including reporting on past completed inventories)
 - Enhanced Mobile Functionality to complete daily medical, behavior, and Care Activity daily medication lists, behavior enrichment, and more
 - Easily update Online Animal Listings with glamor shots, adoption bios, and physical traits right from your smartphone or mobile device

Builders Suite:

- Build your own Kennel Cards, Contracts, Certificates, Medical Documents, agency, person, and animal documents, Reports, and visual HTML dashboards
- Publish your Kennel Cards and Documents for easy access from your data entry workflow
- Setup automated generation and email of built reports
- 8 Hours of PetPoint Trainer Individualized Online Training (or report building)—1st year only



Constituent Services:

- Advanced Animal License includes tag inventory management (including license ranges)
- License Reseller management and limited access for entering licenses into your database
- Online Licensing Portal for patron renewal and application for their pet's license
- Setup License Rules & varying pricing by animal species, age, altered status, person discount (veterans, senior, etc.), or shelter location
- Track Rabies Vaccination information directly from the License Screen
- Require documentation such as rabies certificates, insurance, and more
- Agency Contract Management for managing contracts & invoices with municipalities
- 4 Hours of PetPoint Trainer Individualized Online Training

Auto-Uploads from PetPoint to Petfinder

- Pro-rated pricing depending on how many animal records are automatically uploaded each year
- The PetPoint Team will upload Adoptable animal records in real time to Petfinder FTP site for Petfinder to post on your behalf



For a complete list of functionalities, pricing or to schedule a demo
please email **PHISoftwareSolutions@Pethealthinc.com**



PetPoint and related words are trademarks and the property of Pethealth Services Inc., and Pethealth Services (USA) Inc.
24PetWatch, 24PetWatch & Design and related words and logo are registered trademarks and the property of Pethealth Services (USA) Inc.

Shannon Harvill

From: Sarah Rueli <sarah@shelterluv.com>
Sent: Thursday, February 29, 2024 4:58 PM
To: Shannon Harvill
Subject: Shelterluv demo follow up email

Hi Shannon,

It was great meeting with you today! Here is the information I promised to send over:

1. Integrations -

- [Uploading animals to your own website](#)
- [Uploading animals to aggregators of adoptable animals](#) (Petfinder.com, Adopt-a-Pet.com, and Chewy)
- [Uploading to microchip registries](#) (including 24PetWatch)
- [What other services integrate with Shelterluv?](#)

2. Pricing -

1. Your team *pays* Shelterluv the software fee through the credit card you put on file. It's \$2/adoption, billed monthly based on how many adoptions you did the month prior. So for example, if you did 10 adoptions in October, you'd be charged \$20 the first week of November.
2. Your team *accepts* money from your adopters through our integrated credit/debit card processor, Shelterpay powered by Stax. Our payment processor then pays out your transactions (adoptions fees, donations, etc) into your connected bank account on a rolling basis. The credit card processing fee of 3.4%+30cents/transaction is automatically deducted from the amount paid. However, we prompt adopters to donate to cover that fee on your behalf, and the vast majority of them do. In fact, most of our customers *make* money off Shelterluv since **81% of adopters donate an average of \$20.**

3. The next step to get started with Shelterluv is to fill out [this short activation form](#).

Please let me know if you or anyone on the team has any other questions!

We hopefully will work together in the future!

Sarah Rueli
Growth Manager
m: (413) 544-4660
sarah@shelterluv.com



Meet my supervisors:



Shannon Harvill

From: Sarah Rueli <sarah@shelterluv.com>
Sent: Monday, March 4, 2024 12:36 PM
To: Shannon Harvill
Subject: Re: Shelterluv demo follow up email

Hi Shannon,

Sorry, I don't have a brochure, but you could send them this link to all of our features and pricing or print it out for them.

Here is everything included within Shelterluv: [Shelterluv pricing and what it includes](#)

Please let me know if this is kind of what you are looking for.

Thank you!

On Mon, Mar 4, 2024 at 7:26 AM Shannon Harvill <sharvill@harlingentx.gov> wrote:

Good Morning Sarah,

Would you happen to have a brochure I could print that talks about Shelterluv? I need to present to my City Commission and need to provide them some basics on Shelterluv and what it is.

Respectfully,

Shannon Harvill

City of Harlingen

Health Director

956-216-5220

From: Sarah Rueli <sarah@shelterluv.com>
Sent: Thursday, February 29, 2024 4:58 PM
To: Shannon Harvill <sharvill@harlingentx.gov>
Subject: Shelterluv demo follow up email

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2. Your team *accepts* money from your adopters through our integrated credit/debit card processor, Shelterpay powered by Stax. Our payment processor then pays out your transactions (adoptions fees, donations, etc) into your connected bank account on a rolling basis. The credit card processing fee of 3.4%+30cents/transaction is automatically deducted from the amount paid. However, we prompt adopters to donate to cover that fee on your behalf, and the vast majority of them do. In fact, most of our customers *make* money off Shelterluv since **81% of adopters donate an average of \$20.**

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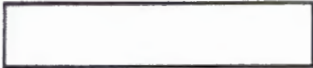
We hopefully will work together in the future!

Sarah Rueli

Growth Manager

m: (413) 544-4660

sarah@shelterluv.com



Meet my supervisors:



▪

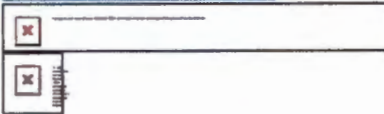
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Sarah Rueli

Growth Manager

m: (413) 544-4660

sarah@shelterluv.com



**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:
Consideration and possible action to approve the Animal Rescue Organization Application and the Harlingen Animal Shelter Foster Agreement, which will assist in finding homes for animals at the shelter. Attachment (<i>Health</i>)
Prepared By: Shannon Harvill, Assistant Health Dir.
Brief Summary:
The City of Harlingen Health Department is implementing two (2) new programs for the Animal Shelter. The first program will be the Animal Rescue Organization Application, which will allow the shelter to work with rescue organizations to find homes for the animals currently being housed at the shelter. The second program is the Foster Program, which will be in place once we get people interested in fostering domestic animals in their homes. These programs help the overflow of animals at the shelter.
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:



City of Harlingen Animal Shelter
1106 Markowsky
Harlingen, TX. 78550



501(c)(3) ANIMAL RESCUE ORGANIZATION APPLICATION INSTRUCTIONS

All 501(c)(3) Animal Rescue Organizations wishing to rescue animals from the City of Harlingen Animal Shelter must meet the requirements for a 501(c)(3) Animal Rescue Organization are as follows:

- The Animal Rescue Organization must completely fill out the application and it is to be signed by two (2) officers of the organization.
- Provide proof they are an officer of the Animal Rescue Organization.
- Provide a copy of IRS paperwork showing they are a 501(c)(3).
- Designate two members that will conduct all rescues, providing all required information in the application.

Once the Animal Shelter Program has received the application, it will be reviewed for proper documentation and completion. Notification will be sent of approved rescue group, or that the application was incomplete or the 501(c)(3) status cannot be confirmed and the organization may not qualify.

The Rescue Process

- On the animal's evaluation date your representative can request the animal under the Program's 501(c)(3) Animal Rescue Organization Adoption Program.
- Animals that are a danger to the public will not be allowed for rescue.
- The rescue will be completed with the Program's staff at the time of the request.
- Provide the location that each animal being rescued is going to be housed at the time of pick up.
- The animal shall be picked up by the 501(c)(3) Animal Rescue Organization on the date of the stipulated by the City of Harlingen Animal Shelter Staff.
- The 501(c)(3) Animal Rescue Organization shall ensure that the animal gets vaccinated against rabies, receives its first set of inoculation shots, and is spayed or neutered by a licensed veterinarian, if not already completed.
- Complete the *City of Harlingen Animal Shelter Sterilization Agreement*.

The Rescue Process

City of Harlingen Animal Shelter *1106 Markowsly * Harlingen, Texs 78550



City of Harlingen Animal Shelter
1106 Markowsky
Harlingen, TX. 78550



(Continued)

- The 501(c)(3) Animal Rescue Organization shall submit written confirmation signed by the veterinarian who performed the sterilization. Failure to alter the animal will result in the 501(c)(3) Animal Rescue Organization being excluded from rescuing animals through the 501(c)(3) Animal Rescue Organization Program for a period of twelve months.

Does your organization wish to be on the public list of 501(c)(3) Animal Rescue Organizations available to our customers? ☐ Yes ☐ No

Organization certifies that all information provided is true, complete, and correct. Organization will assure the humane treatment of all animals released to it and agree to remain in compliance with local and state laws as they pertain to code compliance and humane animal care.

Further, Organization agrees to assume any and all risks of injuries, permanent or partial disability, or death and damages caused by these animals.

Organization hereby releases, waives, discharges and relinquishes City of Harlingen and their officers, employees, and agents from any liability, loss, damage, claim, demand, or cause of action against them attributable to the actions of these animals.

Organization agrees to hold harmless and to indemnify City of Harlingen and their officers, employees, and agents from any loss or claim (including reasonable attorneys' fees) in connection with the actions of the animal and to defend any claims or actions against the City of Harlingen and their officers, employees, and agents which may arise out of the actions of this animal.

Organization Name: _____
("Organization")

501 (c)(3) ID#: _____
(attach copy)

Address: _____ City: _____ State: _____
Zip: _____

Telephone #: _____ Fax #: _____

Website: _____

Primary Contact Person: _____

Email: _____



City of Harlingen Animal Shelter
1106 Markowsky
Harlingen, TX. 78550



501(c)(3) ANIMAL RESCUE ORGANIZATION APPLICATION FORM

(Page #1)

Type of Animals Under Jurisdiction of Organization

Species/Breeds:

IMPORTANT: THIS DOCUMENT RELIEVES CITY OF HARLINGEN, AND THEIR OFFICERS, EMPLOYEES AND AGENTS FROM LIABILITY FROM PERSONAL INJURY, WRONGFUL DEATH, AND PROPERTY DAMAGE CAUSED BY THIS ANIMAL. I HAVE READ THIS DOCUMENT, UNDERSTAND IT, AND SIGN VOLUNTARILY.

Date: _____ (Signature)

(Print Name)

(Title)

Date: _____ (Signature)

(Print Name)

(Title)

For office use only

Date Received:	Control #:	Date Reviewed:
Reviewed by:		
501c3 Received:	Reference Check Completed:	

Harlingen Animal Shelter Foster Agreement

Foster agrees to provide adequate food, water, shelter, and kind treatment for foster animal(s) at all times. In addition, the foster volunteer must adhere to all state and local animal laws. The foster volunteer agrees to follow all additional written instructions from the shelter.

Foster agrees to keep foster animals indoors, except when walking dogs. Foster Cats are indoor cats only and should never be let outside. Foster dogs should never be left outside unsupervised. When traveling with foster dogs, they must be leashed at all times.

Foster agrees to administer preventatives/medications to foster animal as needed and instructed by shelter staff.

Harlingen Animal Shelter retains all rights and ownership of any animal in the Foster Program, and the Harlingen Animal Shelter has the right to recall any fostered animal to the shelter at any time.

All adoption inquiries about foster animals in your care must be directed to the Harlingen Animal Shelter. Do not make promises to any interested parties. Harlingen Animal Shelter will handle the vetting and approval or denial of all adoption applications.

If the foster wishes to adopt the said animal the foster must go through the shelter adoptions program screening process. The shelter reserves the right to determine final outcome of animals.

The foster volunteer on this contract is agreeing to be the primary caregiver for the foster animal at the address on this contract. Foster caregiver will notify Harlingen Animal Shelter in the event any change occurs in the address or telephone number listed.

Foster caregiver understands and acknowledges that he/she does not have any right or authority to keep the foster animal, place foster animal in other homes or

Harlingen Animal Shelter Foster Agreement

place with other individuals unless permission is granted in writing by the Harlingen Animal Shelter.

In the event that a foster caregiver is going out of town overnight and cannot care for the animal, the foster will contact Harlingen Animal Shelter as soon as possible so that other temporary arrangements can be made. Foster animals cannot be placed in temporary boarding facilities or given to friends/family to temporarily care for without Harlingen Animal Shelter permission.

Foster animal(s) must be returned to Harlingen Animal Shelter as soon as possible upon request by the Harlingen Animal Shelter.

The foster agrees to respond to inquiries from Harlingen Animal Shelter regarding the foster animal as soon as possible. Failure to respond to an inquiry within 24 hours can be grounds for repossession of the animal(s).

Harlingen Animal Shelter may visit a foster home at any time providing that the foster volunteer is given reasonable prior notice (typically 24 hours). Prior notice is not required for the repossession of an animal when a foster volunteer fails to bring the animal back to the Harlingen Animal Shelter as requested or fails to respond to inquiries from Harlingen Animal Shelter.

Foster agrees to notify shelter as to any behavioral or health problems of the animal. The shelter reserves the right to determine the proper course of action to take upon such notification.

Foster agrees to be reasonable accommodating in scheduling meet and greets between the foster and potential adopters. Meet and greets will be scheduled at Harlingen Animal Shelter.

The foster agrees to stay in touch with the Harlingen Animal Shelter on a weekly basis. The foster will send an email each week on your assigned day with news about foster animal. Failing to send an email may result in removal of foster animal from the foster home.

Harlingen Animal Shelter Foster Agreement

Assigned day to send update email: Mondays

Email address to which update should go: animalshelter@harlingentx.gov

Foster will notify Harlingen Animal Shelter immediately if the foster animal exhibits any aggressive behaviors.

Regarding Personal Pets of Foster Volunteer:

All dogs belonging to the foster volunteer must have up to date DHLPP and Rabies and Bordetella and be spayed/neutered.

All cats belonging to the foster volunteer must have up to date FVRCO and rabies vaccines and be spayed/neutered.

Harlingen Animal Shelter facilitates initial introductions between your existing pets and your foster pet. In the event that the pets do not get along well or there are any concerns, Harlingen Animal Shelter reserves the right to deny placement of that foster animal into your home.

Harlingen Animal Shelter is not responsible for any veterinary bills for foster caregiver's personal pets. The foster caregiver assumes responsibility for any veterinary bills that result from foster's personal pet becoming ill or injured due to exposure to foster animal.

Regarding Veterinary Care

Foster volunteer must contact Harlingen Animal Shelter first for all foster animal care needs and questions.

Foster animals should not be taken to any veterinarian unless authorized by Harlingen Animal Shelter in advance.

Harlingen Animal Shelter Foster Agreement

Emergency protocol provided in the foster manual is to be followed at all times. No veterinary expenses will be reimbursed unless authorized in ADVANCE by Harlingen Animal Shelter.

In case of emergency- call the Office at 956-216-5250, the Adoption Coordinator at 956-828-0502 or the Animal Shelter Manager at 956-747-5583.

Depending on the age and health status of the foster animal, veterinary appointments made by Harlingen Animal Shelter, foster is to transport to animal to designated veterinary clinic.

Regarding Supplies

Harlingen Animal Shelter will provide a feeding plan for your foster pet and food for a two-week period.

Other supplies will be provided upon request and availability of supplies.

Any supplies borrowed from Harlingen Animal Shelter must be returned when the animal is no longer in the foster's custody.

Regarding Foster Dog Socializing and Training:

Foster understands that appropriate training and socializing with a foster animal helps to make that animal more adoptable to potential adoptive families. Foster caregivers will make every effort to train and discipline the animal, using positive reinforcement techniques.

Foster caregivers will NOT socialize the foster dog with other dogs until foster dog had ALL required vaccinations. Depend on the age of the dog, the foster animal may already come to foster home with all required vaccines.

Harlingen Animal Shelter Foster Agreement

Foster caregiver recognizes that discipline is important when working with a foster animal. It is important that foster animals receive consistent training and discipline. The better trained the animal, the more adoptable he or she becomes and the more attractive to potential adoptive families.

Crate training is extremely beneficial in making a dog attractive to potential adoptive families and can be extremely helpful for dogs not already house trained.

Foster is undertaking these obligations with no said claim, now or in the future to any type of compensations or reimbursement for caring for said animal.

Fostering Supplemental Information

Feeding Instructions: To be filled in upon fostering based on animal being fostered.

Medications and preventatives Instructions: To be filled in upon fostering based on animal being fostered.

Supplies Borrowed To be filled in upon fostering based on animal being fostered.

I understand that the Harlingen Animal Shelter reserves the right to examine and make inquiry about the foster animal Monday through Friday 8:00am through 6:00pm and Saturday and Sunday 8:00am through 5:00pm. If I fail to keep the animal in accordance with the terms of this agreement, or if I deny the Harlingen Animal Shelter right to examine the animal(s), if I fail to respond to any Harlingen Animal Shelter inquiry, or if I have made any misrepresentation of fact, the

Harlingen Animal Shelter Foster Agreement

Harlingen Animal Shelter may retake custody of the animal(s). Additionally, costs associated with such retaking of custody shall be my sole responsibility. If any medical care is required as a result of any intentional or negligent act of mine, any costs associated with said medical care shall be my sole responsibility.

It is expressed intention of the Harlingen Animal Shelter and the foster caregiver that the release provided for in this paragraph is designed and intended to protect the Harlingen Animal Shelter (and it's members and volunteers) from the consequences of any accident, injury, illness, negligence, attach aggressive or destructive behavior or other action by animal and from the consequences of any act or omission or negligence on the part of the Harlingen Animal Shelter (and its members and volunteers) in obtaining custody of animal in providing care for animal or in failing to provide timely or adequate warning to any person concerning animal. The Harlingen Animal Shelter will use all reasonable efforts to provide accurate information about the animal but as with all living creatures there are no guarantees.

Foster Name (Print)_____

Address _____

Phone Number _____

email address _____

Foster Signature _____

Date _____

Shelter Staff Signature _____

Date _____

10(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to approve an Ordinance on first reading **AMENDING** Code of Ordinances NO. 2008 - 14, Section II (A), of the Code of Ordinances of the City of Harlingen, Texas by adding the following language below to be consistent with the State of Texas' Ordinance: (Attachment (**Police**))

PENALTIES FOR FALSE ALARMS. A municipality may impose a penalty for the signaling of a false alarm by a burglar alarm system if at least three other false alarms have occurred during the preceding 12-month period. The amount of the penalty for the signaling of a false alarm may not exceed:

(1) \$50, if the location has had more than three but fewer than six other false alarms in the preceding 12-month period;

(2) \$75, if the location has had more than five but fewer than eight other false alarms in the preceding 12-month period; or

(3) \$100, if the location has had eight or more other false alarms in the preceding 12-month period.

Prepared By (Print Name): Michael Kester

Title: Chief of Police

Signature:



Brief Summary:

The Harlingen Police Department is proposing to **AMEND** Ordinance No. 08 - 14, Section II (A) of the Code of Ordinances of the City of Harlingen, Texas to be consistent with the State of Texas ordinance.

Funding (if applicable):

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

amount for this purpose?

*If no, specify source of funding and amount requested: no cost will be incurred by the City of Harlingen.

Finance Director's approval:

☐

Yes

☐

No

☐

N/A

Staff Recommendation:

Staff recommends that the proposed amendment to Ordinance 08-14 be approved as to false alarm fees.

City Manager's approval:

CL

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

☐

Yes

☐

No

☐

N/A

ORDINANCE NO. 2024 - _____

AN ORDINANCE AMENDING ORDINANCE NO. 2008-14, SECTION II (A) RELATED TO FALSE ALARM FEES CHARGED AND CHANGING THE FEES TO \$50.00 EACH FOR 3-5 FALSE ALARMS, \$75.00 EACH FOR 6-7 FALSE ALARMS AND \$100.00 EACH FOR 8 OR MORE FALSE ALARMS, ALL EFFECTIVE _____, 2024, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

WHEREAS, Ordinance No. 2008-14 was enacted on February 20, 2008, and provided certain false alarm fees for business and residence service fees to be charged for false alarms in excess of certain limits; and,

WHEREAS, the Elective Commission of the City of Harlingen desires to change the service fees for false alarms as set out below:

NOW THEREFORE:

BE IT ORDAINED BY THE CITY OF HARLINGEN:

SECTION I: That Section II(A) of Ordinance 2008-14 is hereby repealed in its entirety and replaced by the following language to be consistent with the State of Texas' Ordinance for penalties for false alarms:

PENALTIES FOR FALSE ALARMS: A municipality may impose a penalty for the signaling of a false alarm by a burglar alarm system if at least three other false alarms have occurred during the preceding 2-month period. The amount of the penalty for the signaling of a false alarm may not exceed:

- (1) \$50.00 if the location has had more than three but fewer than six other false alarms in the preceding 12-month period.
- (2) \$75.00 if the location has had more than five but fewer than six false alarms in the preceding 12-month period.
- (3) \$100.00 if the location has had eight or more other false alarms in the preceding 12-month period.

SECTION II: That a true and correct copy of the caption of this Ordinance is hereby authorized to be published in the Valley Morning Star newspaper.

SECTION III: This Ordinance shall be in full force and effect from and after its passage and publication, as required by law and it is so ordained.

FINALLY ENACTED this _____ day of _____, 2024, at a regular meeting of the Elective Commission of the City of Harlingen, Cameron County, 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, TEXAS

BY: _____
Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:	
Consideration and possible action to approve a request from Remi Garza, Elections Administrator of Cameron County, to use the Harlingen Cultural Arts Center, 575 "76" Drive., as an early voting site for the May 4, 2024, General and Special Elections on the dates and times listed below. Attachment (<i>Public Works</i>)	
Monday, April 22nd thru Friday, April 26th	9:00 a.m. to 7:00 p.m.
Saturday, April 27th	10:00 a.m. to 5:00 p.m.
Monday, April 29th thru Tuesday, April 30th	9:00 a.m. to 7:00 p.m.
Prepared By: Christopher D. Torres, Director	
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:	665
Comments:	
City Attorney's approval:	



REMI GARZA, CERA
ELECTIONS ADMINISTRATOR

March 12, 2024

Amanda Elizondo
City Secretary
City of Harlingen
118 E. Tyler Ave.
Harlingen, Texas 78550

Dear Ms. Elizondo

This is our official request to designate the following location as an Early Voting for General and Special Elections to be held on May 4, 2024:

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

The dates and times for early voting are as follow:

Monday, April 22 thru Friday, April 26	9:00 a.m. to 7:00 p.m.
Saturday, April 27	10:00 a.m. to 5:00 p.m.
Monday, April 29 thru Tuesday, April 30	9:00 a.m. to 7:00 p.m.

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

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

Thank you in advance for your consideration to this request.

Sincerely,

Remi Garza For Remi Garza

Remi Garza
Elections Administrator

AGENDA ITEM EXECUTIVE SUMMARY

Meeting Date: **March 20, 2024**

Agenda Item:

Consideration and possible action to approve a resolution of the City of Harlingen suspending the April 4, 2024 effective date of AEP Texas Inc.'s requested rate change to permit the City time to study the request and to establish reasonable rates approving cooperation with the Cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change proceedings before the commission (PUC); hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel. Attachment (*City Manager*)

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

Signature: *Gabriel Gonzalez*

Brief Summary:

AEP has submitted a rate case to the PUC to increase system wide transmission rates by \$110.4 Million per year, an increase of 13.1% per year and to increase system wide transmission rates by \$63.1 million, an increase of 9.29%, which would impact the average residential customer with an increase of about \$4.59 per month. The City of McAllen has hired Lloyd Gosselink Attorneys and Consulting Services to negotiate these proposed rates. All Expenses incurred will be reimbursed by AEP. Staff Recommends approval.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

RESOLUTION NO. _____

**RESOLUTION OF THE CITY OF _____
SUSPENDING THE APRIL 4 2024 EFFECTIVE DATE OF
AEP TEXAS INC.'S REQUESTED RATE CHANGE TO
PERMIT THE CITY TIME TO STUDY THE REQUEST AND
TO ESTABLISH REASONABLE RATES; APPROVING
COOPERATION WITH THE CITIES SERVED BY AEP
TEXAS AND AUTHORIZING INTERVENTION IN AEP
TEXAS INC.'S REQUESTED RATE CHANGE
PROCEEDINGS BEFORE THE COMMISSION; HIRING
LLOYD GOSSELINK ATTORNEYS AND CONSULTING
SERVICES TO NEGOTIATE WITH THE COMPANY AND
DIRECT ANY NECESSARY LITIGATION AND APPEALS;
REQUIRING REIMBURSEMENT OF CITIES' RATE CASE
EXPENSES; FINDING THAT THE MEETING AT WHICH
THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC
AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS
RESOLUTION TO THE COMPANY AND LEGAL
COUNSEL**

WHEREAS, on or about February 29, 2024, AEP Texas Inc. ("AEP Texas" or "Company"), pursuant to Public Utility Regulatory Act ("PURA") §§ 33.001 and 36.001 filed with the City of _____ ("City") a Statement of Intent to change electric delivery rates in all municipalities exercising original jurisdiction within its service area, effective April 4, 2024 and

WHEREAS, the City is an electric utility customer of AEP Texas and a regulatory authority with an interest in the rates and charges of AEP Texas; and

WHEREAS, the City is a member of the Cities Served by AEP Texas ("Cities"), a membership of similarly situated cities served by AEP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in AEP Texas' service area; and

WHEREAS, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective; and

WHEREAS, the City retains its rights as a city with original jurisdiction including the right to suspend the application; and

WHEREAS, PURA § 33.023 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility; and

WHEREAS, the City’s consultants and attorneys recommend that the City suspend the application for further review.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF _____, TEXAS:

SECTION 1. That the April 4, 2024, effective date of the rate request submitted by AEP Texas on or about February 29, 2024, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

SECTION 2. That the City joins other Cities Served by AEP Texas in this proceeding and, subject to the right to terminate employment at any time, hereby authorizes the hiring of Thomas Brocato of Lloyd Gosselink Rochelle and Townsend, P.C, and consultants to review the Company’s filing, negotiate with the Company, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of city action.

SECTION 3. That the City shall work with Cities Served by AEP Texas in the review and evaluation of whether the proposed rates are appropriate, fair, just, and reasonable; and, intervene as a necessary party in the Public Utility Commission of Texas’ consideration of AEP Texas’ rate filing in Docket No. 56165 as it affects the customers in the unincorporated areas of AEP Texas’ service territory.

SECTION 4. That the City’s reasonable rate case expenses shall be reimbursed by AEP Texas.

SECTION 5. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 6. A copy of this Resolution shall be sent to AEP Texas, care of Jennifer Frederick, American Electric Power Company, 400 West 15th Street, Suite 1520, Austin, Texas 78701 (aepaustintx@aep.com), and to Thomas Brocato at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (tbrocato@lglawfirm.com).

PASSED AND APPROVED this _____ day of _____, 2024.

MAYOR

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

MODEL STAFF REPORT

*****ACTION MUST BE TAKEN TO SUSPEND THE EFFECTIVE DATE BEFORE APRIL 4, 2024*****

PURPOSE:

AEP Texas Inc (“AEP Texas” or “Company”) filed an application on February 29, 2024 with cities retaining original jurisdiction seeking to increase system-wide distribution rates by \$110.4 million per year (an increase of 13.1%) and increase system-wide transmission rates by \$63.1 million (an increase of 9.29%). According to AEP Texas, the impact of this approval on an average residential customer would be an increase of about \$4.59 per month.

The resolution suspends the April 4, 2024 effective date of the Company’s rate change for the maximum period permitted by law to allow the City, working in conjunction with other Cities served by AEP Texas to intervene in the Public Utility Commission Docket No. 56165 to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, AEP Texas’s rate request is deemed approved.**

Purpose of this Resolution:

The purpose of this Resolution is to suspend the Statement of Intent to Change Rates proposed by AEP Texas and authorize the City to intervene in the Company’s rate case proceeding before the Public Utility Commission in Docket No. 56165.

Explanation of “Be It Resolved” Paragraphs:

Section 1. The City is authorized to suspend the rate change for 90 days after the date that the rate change would otherwise be effective for any legitimate purpose. Time to study and investigate the application is always a legitimate purpose. Please note that the resolution refers to the suspension period as “the maximum period allowed by law” rather than ending by a specific date. This is because the Company controls the effective date and can extend the deadline for final city action to increase the time that the City retains jurisdiction if necessary to reach settlement on the case. If the suspension period is not otherwise extended by the Company, the City must take final action on AEP Texas’ request to change rates by July 3, 2024.

Section 2. This provision authorizes the City to participate in a coalition of Cities served by AEP Texas (“Cities”) in order to more efficiently represent the interests of the City and their citizens and authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable

rates. Additionally, it authorizes Cities to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. This section authorizes the City to intervene in and participate with Cities Served by AEP Texas as a party in the Company's filing, PUC Docket No. 56165.

Section 4. The Company will reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by Cities will submit monthly invoices that will be forwarded to AEP Texas for reimbursement. No individual city incurs liability for payment of rate case expenses by adopting a suspension resolution.

Section 4. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

Section 5. This section provides that both AEP Texas' counsel and counsel for the Cities will be notified of the City's action by sending a copy of the approved and signed resolution to certain designated individuals.

10(0)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

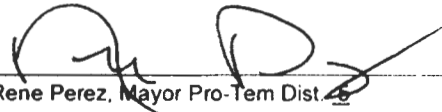
Agenda Item:
Consideration and possible action to re-schedule the City Commission Meeting of April 3, 2024, to a future date. <i>(City Manager)</i>
Prepared By: Gabriel Gonzalez, City Manager
Brief Summary:
Funding (If applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
City Manager approval: <i>GL</i>
Comments:
City Attorney's approval:

City of Harlingen
Agenda Item Request Form

We, hereby request the following item to be added to the March 20, 2024, City Commission Agenda:

Consideration and possible action authorizing City Manager to purchase a Canopy, a table, and chairs for the Veterans Advisory Board to be used during Market Day Events.


Frank Morales, Commissioner Dist. 4


Rene Perez, Mayor Pro-Tem Dist. 4

VETERANS ADVISORY BOARD

Re: Estimate for Event Equipment
Request for March 20, 2024 Harlingen Commission Meeting
agenda item.

Four-sided canopy 10x10 w/logo (1 ea.)	850.00	850.00
6ft. Table Covers w/logo (2 ea.)	240.00	480.00
6 ft. Folding table (2 ea.)	54.98	109.96
Folding Chairs (6 ea.)	24.98	149.88
		1589.84
	Tax 8.25%	<u>131.16</u>
	Total	1721.00

DawnRae Leonard
VAB Chairwoman

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:	
Discussion on water and sewer rate discounts for Harlingen Affordable Housing Customers. PowerPoint (<i>Mayor</i>)	
Prepared By: Norma Sepulveda, Mayor	
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:	

Water & Wastewater Rate Study

March 14, 2024



**HARLINGEN
WATERWORKS
SYSTEM**



 **WILLDAN**

A blue-tinted photograph of a laboratory or workshop. In the background, several people are working on equipment, possibly a large machine or a structure. The foreground is dark and out of focus, showing some equipment and possibly a person's legs. The overall scene is dimly lit, with the blue tint giving it a professional and technical feel.

INTRODUCTION

HWWS Water and Wastewater Rate Study – Project Status



- Based on feedback from February 26th meeting, project team has updated 5-year rate plan scenarios for review

- **Key rate plan variables:**
 - Amount of CIP to be funded in FY2024-2028 represents “On-Time” scenario
 - Rate design represents “Inverted Block with Higher Monthly Charges” scenario
 - Fund balance drawdown to minimize rate adjustments
 - Days of operating expenses and debt coverage meets financial advisor guidelines



Higher Monthly Charges -- Background

- HWWS fixed monthly charges significantly below other RGV cities
- Rate plan increases monthly charge to 50% of average residential bill
- Advantages: more guaranteed revenue; less dependent on weather
- Challenges: higher percentage adjustment on low-volume customers

Entity	Fixed Fee Fraction of 5,000-gallon bill
McAllen	60%
BPUB	44%
North Alamo WSC	67%
Weslaco	52%
East Rio Hondo WSC	75%
Mercedes	77%
San Benito	87%
Mission	56%
Pharr	71%
San Juan	59%
Military Highway WSC	82%
Edinburg	67%
La Feria	74%
Raymondville	67%
Olmito WSC	78%
Other Entity Average	67%
HWWS	34%



ACCOUNTS AND COST OF SERVICE

Water and Wastewater Accounts | Test Year 2024



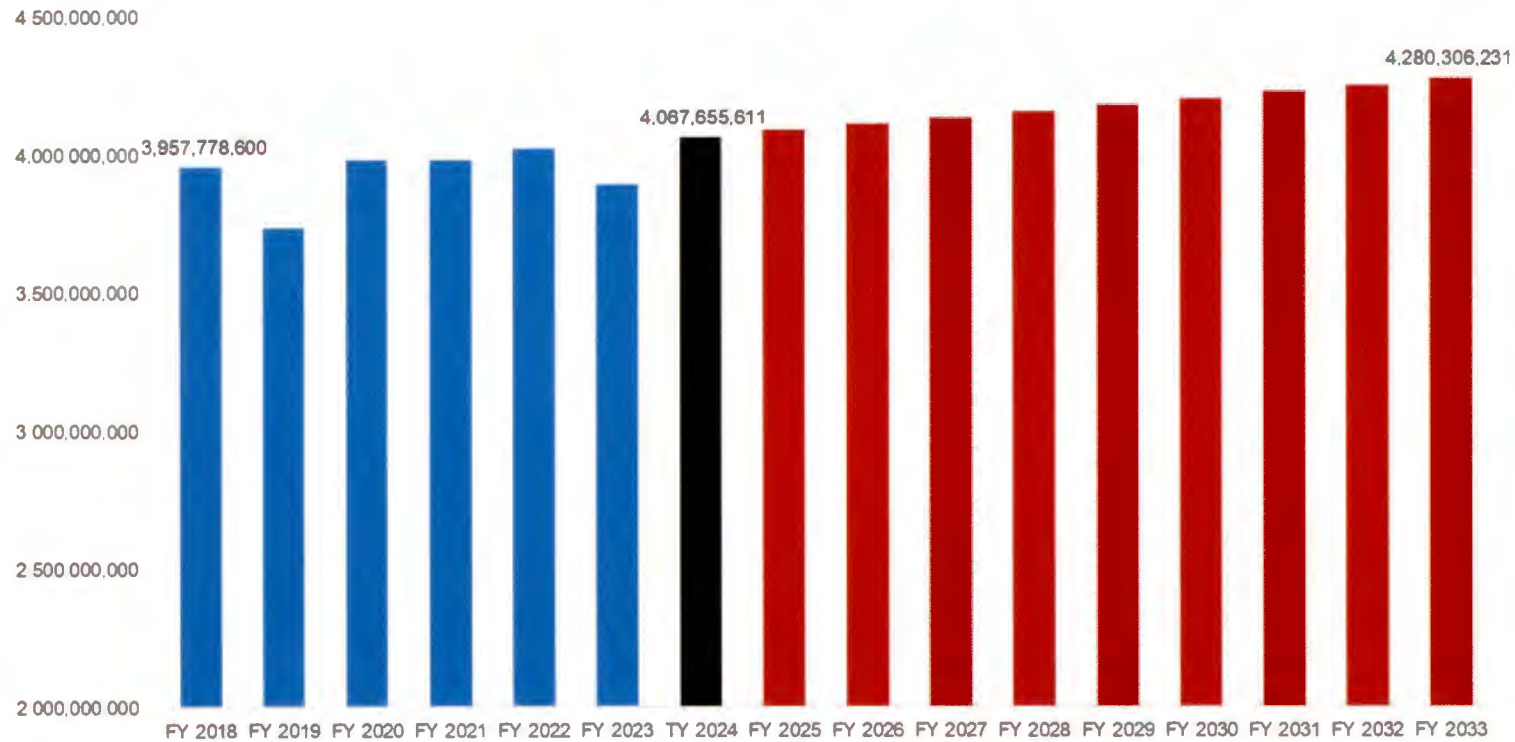
Water Accounts	Inside	Outside
Residential	20,860	3,207
Commercial & Industrial	2,408	106
Multi Housing Apts/Condos	752	69
Public Services/Institutional	635	8
Town of Combes	1	1
City of Primera		1
City of Palm Valley		1
East Rio Hondo		1
Military Hwy WSC		1
	24,656	3,395
TOTAL	28,051	

Wastewater Accounts	Inside	Outside
Residential	17,933	1,194
Commercial & Industrial Inside	1,882	22
Multi Housing Apts/Condos Inside	670	54
Public Services/Institutional Inside	393	7
Town of Combes		1
City of Primera		1
	20,878	1,279
TOTAL	22,157	

10-year forecast is to show annual growth rate in both water and wastewater accounts of 1-1.5% (300-400 new accounts per year)

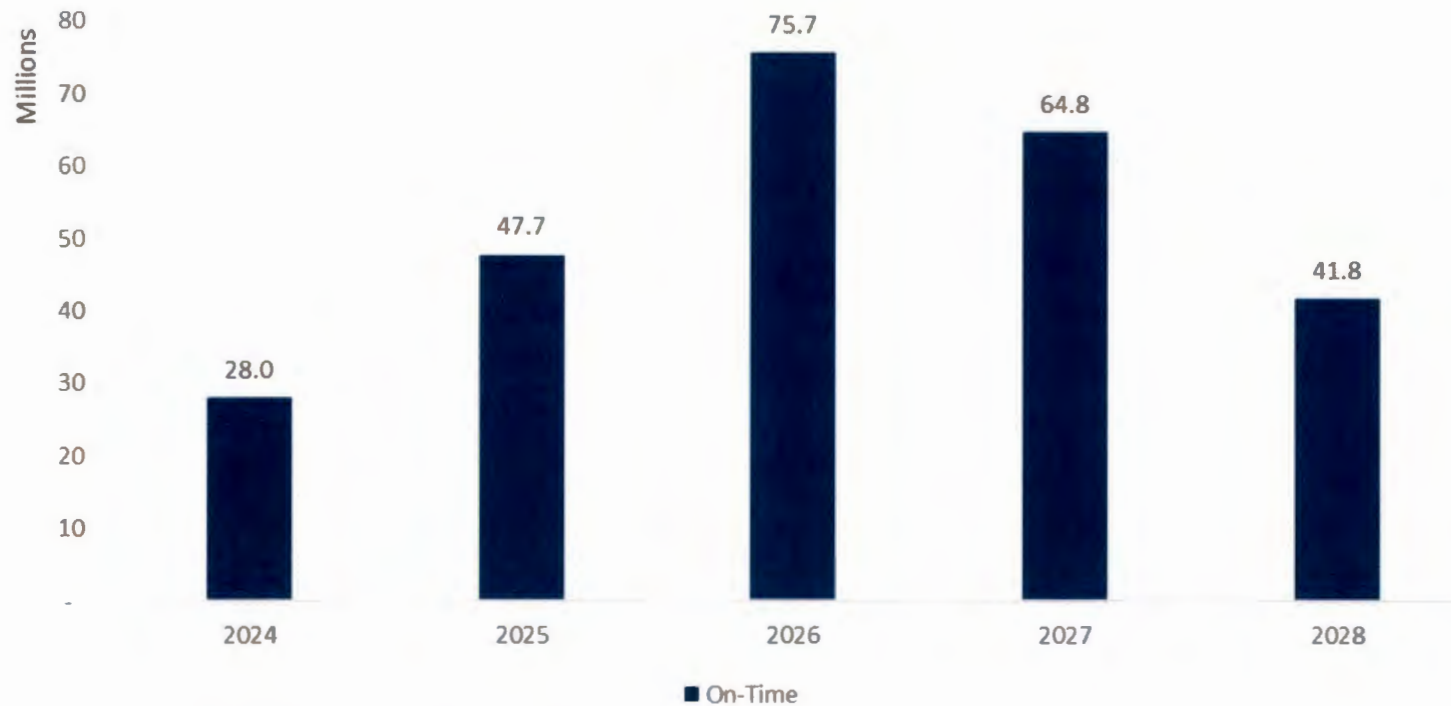


Historical and Forecast Water Consumption



Water consumption is forecast to increase at rate of 0.57% annually

Adopted CIP Scenario for FY2024 – 2028

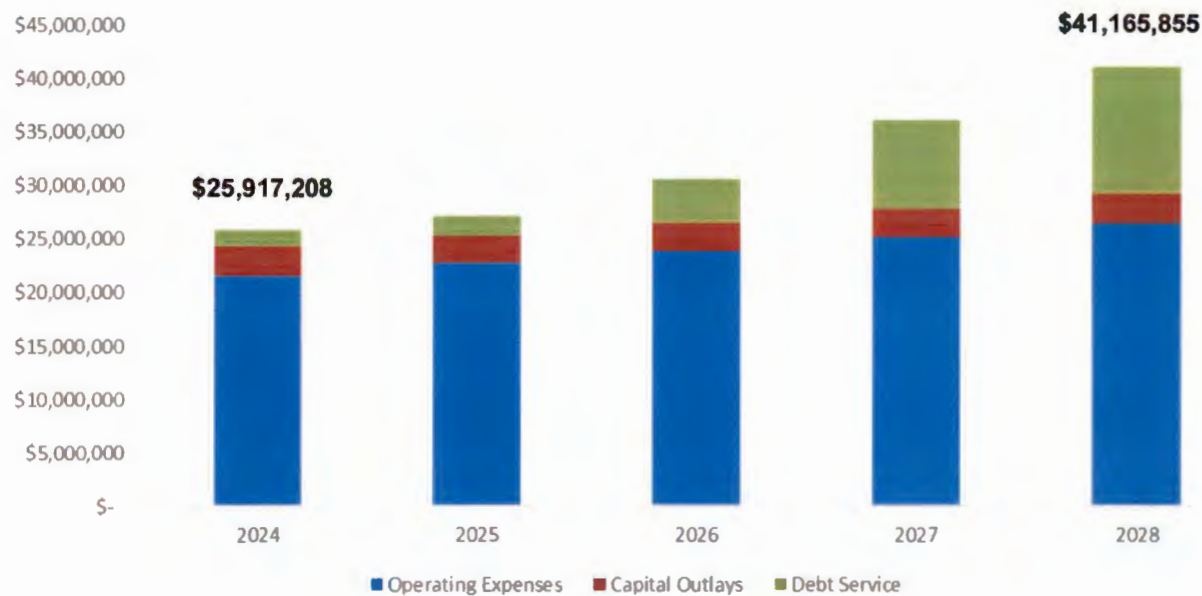


Total CIP 2024-2028 = \$258,048,000

Total CIP 2024-2033 = \$314,295,000



Forecast Cost of Service



CIP = \$258.0 million

New Debt = \$210.6 million

Fund Drawdown = \$10.0 million

**Bond Term = 30 Years
Interest = 4.0%**

**EDAP Term = 20 Years
Interest = 4.0%**

Most operating costs increase 3-5% per year



PROPOSED RATE PLAN

Scenario – “On Time” – Inverted Block Rate Plan with Higher Base Charge



			Proposed Rate Plan		Forecast Rates		
			Effective Mar-24	Effective Jan-25	Effective Jan-26	Effective Jan-27	Forecast Jan-28
Current							
Water Rates – Residential & Commercial Inside							
Monthly Minimum Charge							
	5/8"	\$ 7.93	\$ 9.91	\$ 12.39	\$ 15.49	\$ 19.36	\$ 23.23
	1"	10.07	13.16	17.16	22.34	29.04	34.85
	1 1/2"	14.56	19.85	26.86	36.15	48.40	58.08
	2"	33.02	43.35	56.77	74.20	96.80	116.16
	3"	49.17	65.92	87.98	116.94	154.88	185.86
	4"	112.87	192.55	305.02	461.66	677.61	813.13
	6"	231.80	378.39	583.79	868.24	1,258.42	1,510.11
	8"	426.15	746.45	1,200.27	1,834.35	2,710.45	3,252.54
Residential Volume Rate Per 1,000 Gal							
	-	3,000	1.65	1.25	1.25	1.25	1.25
	3,001	10,000	0.06	1.75	2.12	2.33	2.54
	10,001	20,000	-	2.50	3.03	3.33	3.63
	20,001	Above	-	3.00	3.63	3.99	4.35
Commercial Volume Rate Per 1,000 Gal *							
	Volume Charge	1.65	1.83	2.01	2.22	2.44	2.66
	Fuel Cost Adjustment	0.06	-	-	-	-	-
Wastewater Rates – Residential & Comm Inside							
Monthly Minimum Charge							
	5/8"	6.18	7.73	9.66	12.07	15.09	18.86
	1"	9.44	11.80	14.76	18.44	23.05	28.81
	1 1/2"	21.41	26.76	33.45	41.82	52.27	65.34
	2"	25.77	32.21	40.27	50.33	62.92	78.64
	3"	52.97	66.21	82.77	103.46	129.32	161.65
	4"	134.60	168.25	210.31	262.89	328.61	410.77
	6"	276.08	345.10	431.38	539.22	674.02	842.53
	8"	439.33	549.16	688.45	858.07	1,072.58	1,340.73
Volume Rate Per 1,000 Gal							
	Volume Charge	3.66	4.06	4.47	4.92	5.41	5.89
	Fuel Cost Adjustment	0.11	-	-	-	-	-

NOTE: Outside city rates set at 50.0% premium

* Includes Multi Family Connections



Impact on Monthly Customer Charges

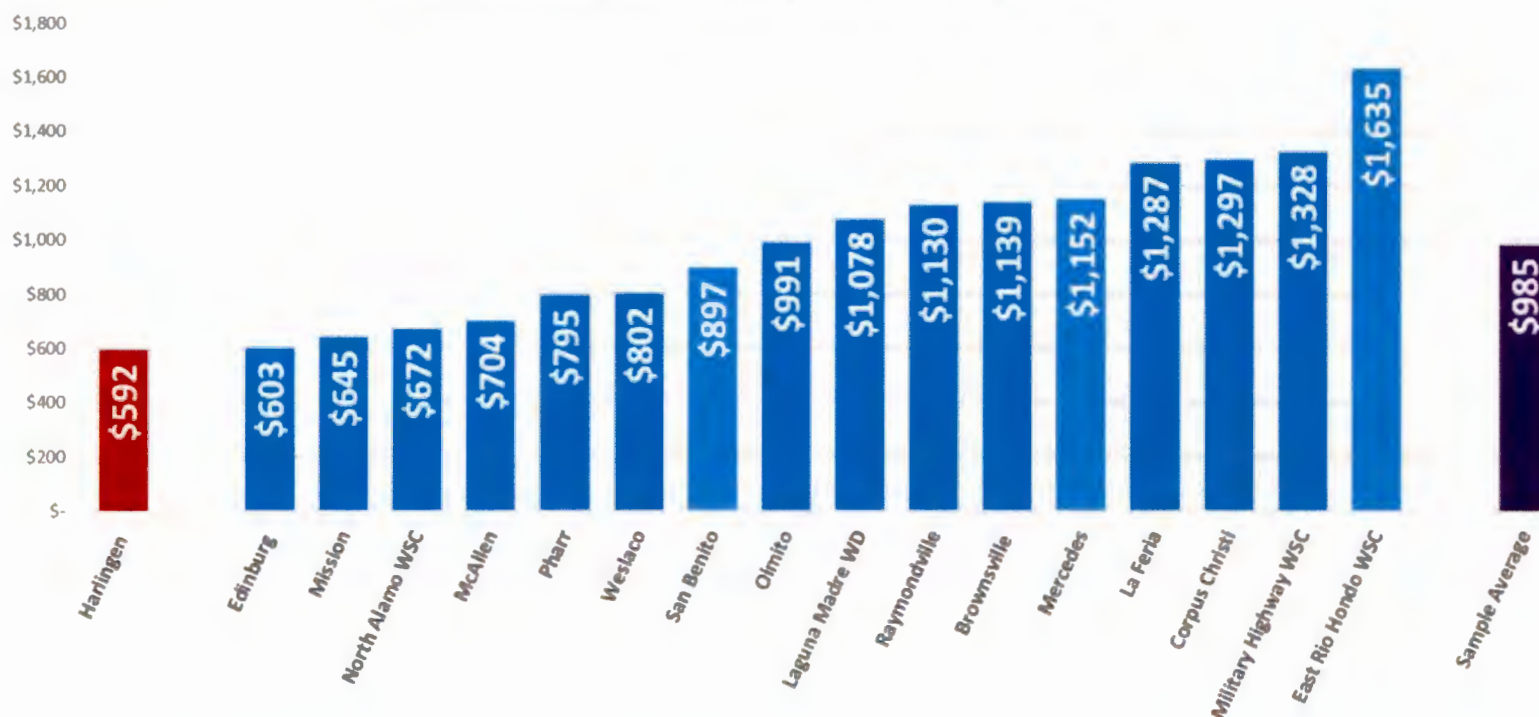


			Proposed Rate Plan		Forecast Rates		
		Current	Effective Mar-24	Effective Jan-25	Effective Jan-26	Effective Jan-27	Forecast Jan-28
Residential Monthly Charge							
3,000 Gal W	Total	\$ 30.55	\$ 33.58	\$ 39.20	\$ 46.06	\$ 54.42	\$ 63.52
3,000 Gal WW	Increase -- \$		3.03	5.63	6.85	8.36	9.10
10,000 Gal W	Total	50.06	53.95	61.62	70.71	81.54	93.08
5,000 Gal WW	Increase -- \$		3.89	7.67	9.09	10.83	11.54
20,000 Gal W	Total	67.16	78.95	89.12	100.96	114.81	129.35
5,000 Gal WW	Increase -- \$		11.79	10.17	11.84	13.85	14.54
Commercial Monthly Charge							
20,000 Gal W	Total	\$ 168.39	\$ 193.44	\$ 226.71	\$ 267.17	\$ 316.62	\$ 365.83
20,000 Gal WW	Increase -- \$		25.05	33.27	40.46	49.44	49.21
40,000 Gal W	Total	277.99	311.32	356.38	409.81	473.52	536.85
40,000 Gal WW	Increase -- \$		33.33	45.06	53.43	63.71	63.33

Current Rates Typical Residential Use Case | Total Annual Charges



Total Annual Charges | Water & Wastewater Service
Typical Use Case (4Mo Low-Use | 5Mo Mid-Use | 3Mo High Use)



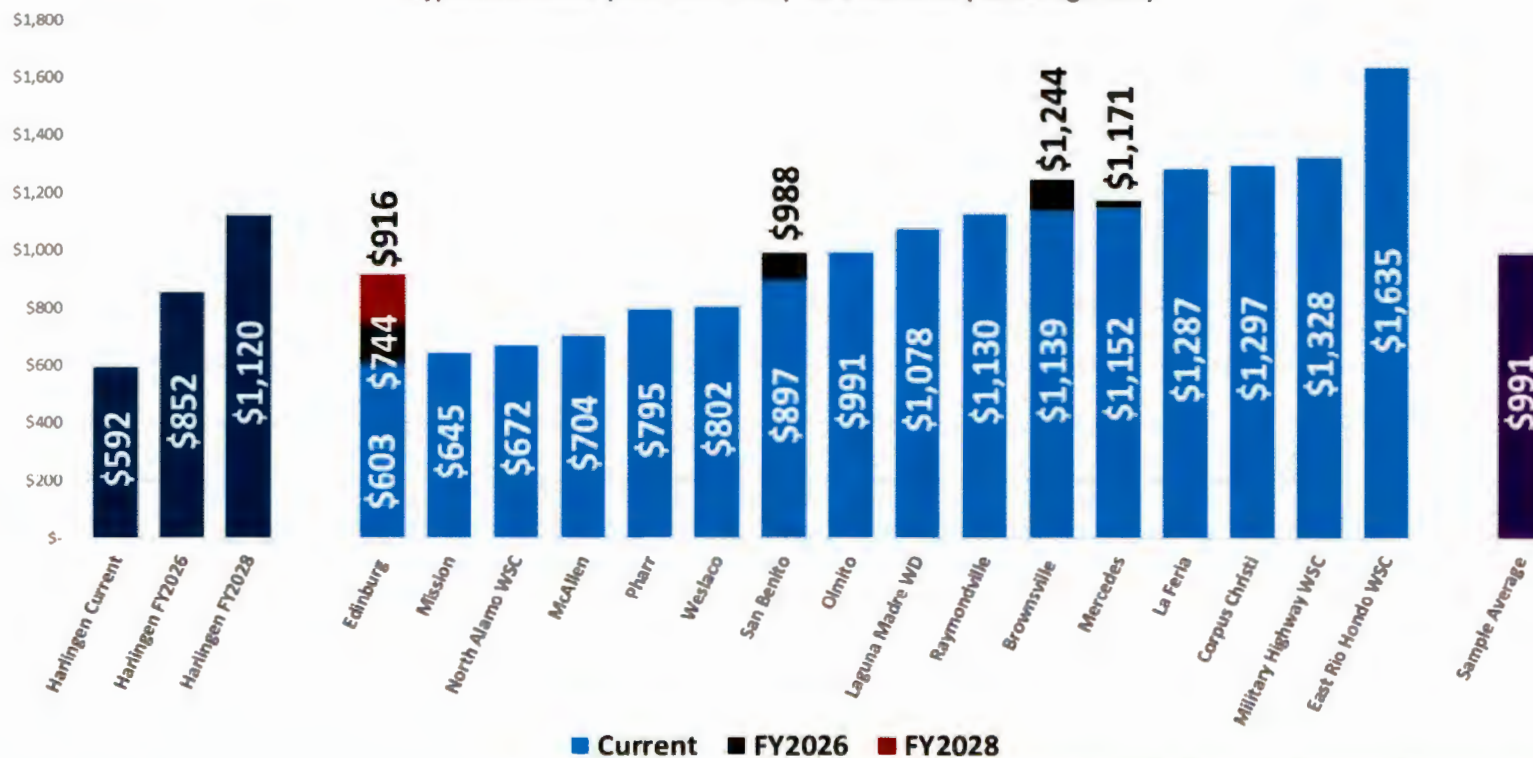
*Based on March 2024 rates



Scenario: On-Time Typical Residential Use Case | Total Annual Charges Forecast



Total Annual Charges and FY 2026 Forecast | Water & Wastewater Service
Typical Use Case (4Mo Low-Use | 5Mo Mid-Use | 3Mo High Use)



*Based on March 2024 rates

NOTE: Edinburg, San Benito, Brownsville and Mercedes have multi year rate plans; Chart shows current and projected 2026/2028 charges where applicable



Wholesale Rates



- Wholesale customers currently paying below cost rate
- Adjustment to cost-of-service rate would cause “rate shock”
- Recommend phasing in cost-of-service rate over a 5-year period
- Many wholesale contracts will expire shortly – now is a good time to renegotiate new wholesale rate



“Lifeline” Rate



- Approximately 1,000 HWWS residential customers receive benefits from Harlingen Housing Authority
- HWWS could offer percentage rate discount as a “lifeline rate” to these customers
- City attorney must verify legality of implementing lifeline rate plan
- **Advantages:** provides tangible benefit to low-income residents
- **Challenges:** customers must be identified; potential for fraudulent claims

Impact of Lifeline Rate – Water				
Lifeline Discount	Lost Revenue		Adjustment to Other Rates	
			One-Time % Adjustment*	Monthly Impact - 5,000 Gallons
10.0%	\$	50,000	0.0%	\$ -
30.0%	\$	150,000	1.5%	\$ 0.25
50.0%	\$	250,000	3.0%	\$ 0.50

* Volume rate only

Rate Plan Scenario Metrics

	2024	2025	2026	2027	2028
Water & Sewer Fund Balance Drawdown	(3,102,923)	(3,005,800)	(2,016,533)	(1,900,833)	33,367
Water & Sewer Ending Fund Balance	18,908,754	17,354,784	17,367,663	16,900,542	18,818,734
Debt Coverage Ratio	1.45	3.17	2.14	1.50	1.40
Days of Fund Balance	266	233	207	170	167
Use of Impact Fees to Fund CIP	1,100,000	2,800,000	2,800,000	2,800,000	2,800,000



SUMMARY

Presentation Summary Benefits of Rate Plan



- Will enable the utility to remain financially sound
- Will preserve AA Bond rating
- Will enable \$260 million in capital funding to improve the quality and reliability of service
- Will ensure that rates pay all costs of providing service with no subsidies
- Will result in rates that remain competitive compared to other RGV utilities





QUESTIONS & DISCUSSION

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:
Discussion and first reading Ordinances amending Harlingen City Code, Article VII, Boards Commissions and Authorities. Attachment (<i>Legal</i>)
Prepared By: Mark Sossi, City Attorney
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:

AN ORDINANCE AMENDING
ARTICLE VIII
OF HARLINGEN CODE OF ORDINANCES,
“BOARDS COMMISSIONERS AND AUTHORITIES”

ARTICLE VIII. BOARDS, COMMISSIONERS, AND AUTHORITIES

DIVISION 1. GENERALLY

Sec. 2-432. Limitation on board, commission, or committee membership.

- (a) No person shall serve on more than two boards or committees of the city at any one time, except that no such limitation shall apply to members of the city commission.
- (b) This section shall apply only to permanent standing boards, commissions, committees, and advisory groups and shall not apply to specialized task forces established for a limited purpose and period of time.

(Code 1997, § 32.002; Ord. No. 10-7, 3-3-2010)

Sec. 2-433. Compensation.

Members of any city board, commission, committee, and advisory group shall serve without compensation, except that no such limitation shall apply to the members of the city commission.

(Code 1997, § 32.003; Ord. No. 10-7, 3-3-2010)

Sec. 2-434. Removal.

- (a) Unless prescribed otherwise by federal or state law, or by a specific ordinance provision applicable to a specific board, the board member of any city board, may be removed, either with or without cause, at any time prior to the expiration of his or her term by a majority vote of the city commission, at a meeting duly called and held where a quorum is present.
- (b) Such removal procedure, as outlined in this section, shall be applicable to all boards, commissions, committees, or advisory groups other than the utility trustees and shall be in addition to any removal procedure outlined in the provisions pertaining to that board, commission, committee, or advisory group.
- (c) In the event that a board member of a city board is removed by the city commission, said board member shall not "hold over" in office until his successor is appointed unless otherwise required by federal or state law.

(Code 1997, § 32.005; Ord. No. 10-7, 3-3-2010; Ord. No. 2021-47 , § 1, 12-1-2021)

Sec. 2-435. Certain board meeting times.

Unless otherwise required by law, the following city boards shall hold every regulatory scheduled meeting of its members open to the public on or after 5:30 pm on any weekday or at any reasonable time on weekends to increase public participation and attendance at meetings.

- (1) Harlingen Municipal Airport Board.
- (2) Community development advisory board.
- (3) Convention and visitor's bureau advisory board.
- (4) Development Corporation of Harlingen.
- (5) Harlingen Community Improvement Board.
- (6) Harlingen Housing Advisory Board.
- (7) Harlingen Housing Finance Corporation.
- (8) Harlingen Downtown Public Improvement District Board.
- (9) Planning and zoning commission.
- (10) Harlingen Waterworks Board.
- (11) Parks advisory board.

(Ord. No. 2021-39 , § 1, 10-20-2021)

Secs. 2-436—2-451. Reserved.

DIVISION TWO

Harlingen Airport Board

2-436 Harlingen Airport Board

- a.) **Composition** There is hereby established the Harlingen Airport Board, referred to in this Division as the Airport Board which shall consist of (7) seven members, with not less than five members being appointed by the City Commission, and two Board Members to be appointed by the Mayor. The Mayor shall be entitled to appoint two members to the Airport Board which shall be known as Airport Board Seats Place One and Two. The holders of these Board seats may either reside anywhere within the State of Texas. Each member of the City Commission shall be entitled to make one appointment to the Airport Board for each of the remaining five board seats which shall

be known as Airport Board Seats Places Three through Seven. The holders of these Board seats shall reside within the incorporated city limits of the City of Harlingen, Texas. Each member of the Airport Board shall serve a term of three years. The terms of office shall run concurrent with the appointing City Commission member for that seat.

- b.) **Qualifications** All individuals appointed to the Airport Board must possess the following qualifications at the time of the initial appointment or reappointment: 1) Meet the residency requirements for the respective board seat. 2) Not have been removed as a member of any City Board. 3) May not concurrently serve on more than one City Board. 4) Meet any other general city requirements for Board Appointments. 5) Have educational or work experience commensurate with appointment to the Harlingen Airport Board.
- c.) **Duties** The Board shall discuss matters pertaining to the property maintenance of existing residential and non-residential structures. The Board also discusses appeals based on a claim that the true intent of the building codes or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the codes do not fully apply, or the requirements of the codes are adequately satisfied by other means, or that the strict application of any requirements of the codes would cause an undue hardship.

DIVISION THREE

2.437 UTILITY BOARD OF TRUSTEES

- a.) **Membership** The Utility Board of Trustees shall consist of five appointive members and the Mayor and City Manager of the City as ex-officio, non-voting members. All appointees, made by the City Commission, shall serve no more than two consecutive four-year terms.
- b.) **Qualifications** Each voting member shall be at least 18 years old and a resident of the City of Harlingen.
- c.) **Duties.** The Utility Board of Trustees shall have the managing control and operation of the city waterworks system and city sewer system owned and operated by the City except for (1) the final adoption of rates and wholesale contracts for such city-owned utility systems (to be adopted by the City Commission); (2) Any bond issue request shall be submitted to the City Commission for approval.

DIVISION FOUR

2.438 CIVIL SERVICE COMMISSION

a.) **Membership** The Civil Service Commission for police officers and fire fighters shall consist of three members appointed by the Mayor with each appointment confirmed by the City Commission.

b.) **Term** The term for each member shall be three years, or until a successor is appointed, confirmed and qualified. Each year, one member shall be appointed.

c.) **Responsibilities** The Civil Service Commission shall have such powers and duties as are provided in the State Civil Service law.

DIVISION FIVE

2.439 TAX INCREMENT FINANCING REINVESTMENT ZONE BOARD

a.) **MEMBERSHIP.** The Board of Directors for the Tax Increment Financing Reinvestment Zone shall consist of seven members. Six of those members shall be appointed by resolution of the City Commission. One member shall be appointed by the Cameron County Commissioners' Court.

b.) **Term** The terms of each members shall be two years, and that each year the City Commission shall designate a member of the Board of Directors to serve as Chairman for a term of one year.

c.) **Duties** The Board of Directors shall make recommendations to the City Commission concerning the administration of the Zone.

DIVISION SIX

2.440 PLANNING AND ZONING

- a.) **MEMBERSHIP** The Board shall consist of seven members. The Mayor shall have two appointments with each City Commission having one appointment.
- b.) **Term** Appointees shall serve for a maximum of three years, but in no case shall the term of a member exceed the office of the Mayor or Commissioner making such appointment. Each appointee or the appointee's spouse must be a resident of the City or work or operate a business in the City.
- c.) **Duties.** The powers and duties of the Planning and Zoning Board shall be to hold hearings, conduct investigations and make recommendations to the City Commission relative to changes and amendments to the zoning regulations of the city; to hold hearings, to conduct investigations and approve or disapprove proposed plats of subdivisions of land within the city and land within five miles of the city.

DIVISION SEVEN

2.441 ZONING BOARD OF ADJUSTMENTS

- a.) **MEMBERSHIP** The Board of Adjustments shall consist of 12 members, six of which will be regular members and six of which will be alternate members. Each appointee shall be at least 18 years old and a resident of the City. The Mayor and City Commissioners shall each appoint one regular member and one alternate member.
- b.) **Term** The number of terms a member may serve shall not be limited.
- c.) **RESPONSIBILITIES** Ordinance No. 97-35 details the duties of the Zoning Board of Adjustments.

DIVISION EIGHT

2.442 CONSTRUCTION BOARD OF ADJUSTMENTS

- a.) **MEMBERSHIP** The City of Harlingen's Construction Board of Adjustments shall consist of 14 members, seven of which will be regular members and seven of which will be alternate members. The Board shall be composed by individuals with knowledge and experience in the technical codes, such as one professional engineer, one architect, one general contractor, one licensed mechanical contractor, one licensed plumber, one licensed electrician and one citizen. Each appointee shall be at least 18 years old and must be a resident of Harlingen or work or operate a business in Harlingen. The Mayor shall appoint two regular members and two alternate members. Each Commissioner shall appoint one regular member and one alternate member.
- b.) **Term** The Board members shall serve concurrently with the Mayor or Commissioner's term of who appointed such member but in no case shall hold office for a term longer than the term of office of the Mayor or Commission making such appointment.
- c.) **Duties** The Construction Board of Adjustments and Appeals hears appeals and decisions and interpretations of the Building Official and consider requests for variances and appeals on matters related to the City's technical codes

DIVISION NINE

2.443 DEVELOPMENT CORPORATION OF HARLINGEN

- a.) **MEMBERSHIP** The Development Corporation of Harlingen, Inc. shall consist of five member with each appointed by a City Commissioner. Terms are staggered, three-year terms.
- b.) **Qualifications** Each director shall meet one of the following qualifications: Serve, or have served, as chief executive officer of a company; serve, or have served, in a position of executive management of a company; or, have served as as director for at least one year on the Board of Directors of the Harlingen Chamber of Commerce, Inc., the Board of Directors of the Harlingen Industrial Foundation, Inc., or on the Board of Directors of the Industrial Development Authority of Harlingen.

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- c.) **Duties** The affairs of the Corporation shall be managed by the Board and have those duties set forth in the Texas Development Corporation Act and as defined by their Articles of Incorporation.

DIVISION TEN

2.444 COMMUNITY IMPROVEMENT BOARD

- a.) **MEMBERSHIP** The Harlingen Community Development Board shall consist of seven board members appointed by the Mayor and City Commission. No more than four directors shall be employees, officers or members of the City Commission. The Mayor shall have two appointments and each City Commissioner shall have one.
- b.) **Term** Terms consist of staggered, two-year terms.
- c.) **RESPONSIBILITIES.** The Corporation shall be governed by Section 4B of the Development Corporation Act of 1979 and shall have powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed therein. The property and affairs of the Corporation shall be managed and controlled by a Board of Directors.

DIVISION ELEVEN

2.445 HARLINGEN HOUSING AUTHORITY BOARD

- a.) **MEMBERSHIP** The appointment, operation, powers and duties of the Authority are directly provided by Tex. Loc. Gov't Code.
- b.) **RESPONSIBILITIES** The Housing Authority of the City of Harlingen is authorized to transact business and exercise its powers pursuant to the "Housing Authorities Law" of the State of Texas.

DIVISION TWELVE

2.446 HARLINGEN HOUSING FINANCE AUTHORITY CORPORATION BOARD

- a.) **Membership** The Board of Directors shall consist of six members each of whom shall be at least 18 years old and a resident of one of the sponsoring local governments, five of whom shall be appointed by a majority vote of the City Commission and one of who shall be appointed by a majority vote of the San Benito City Commission.
- b.) **Term** Each director shall be appointed for terms of six years.

DIVISION THIRTEEN

2.447 ANIMAL SHELTER ADVISORY COMMITTEE

- a.) **Membership** The Animal Shelter Board consists of six members with a minimum term limit of two years. Members are appointed by the Mayor and City Commission and shall be composed of at least one licensed veterinarian, one municipal officer, one person whose duties include the shelter's daily operation, one representative from an animal welfare organization and two citizens.
- b.) **Term** There are no term limits.
- c.) The basic purpose of the Animal Shelter Advisory Committee is to assist in and ensure compliance with requirements of Chapter 823 of the Health & Safety Code of the State of Texas regulating Animal Shelters.

DIVISION FOURTEEN

2.448 DOWNTOWN BOARD OF DIRECTORS

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- a.) **MEMBERSHIP** The Board of Directors shall consist of seven members of which no less than six shall be record owners of real property within the DID. The Board is appointed by the Mayor and City Commission. The Mayor shall have two appointment and each City Commissioner shall have one. Of the mayoral appointments, one shall be an owner and/or general manager of a business located on real property subject to the assessment in the DID.
- b.) The terms of all appointees shall be concurrent with the term of the Mayor and City Commissioner making said appointment.

DIVISION FIFTEEN

2.449 GOLF COURSE ADVISORY BOARD

- a.) **MEMBERSHIP** The Harlingen Golf Course Advisory Board shall consist of six members. Each appointee to the Board shall be at least 18 years of age, and each appointee's spouse must be a resident of the city or work or operate a business in the city and be of good moral character and demonstrate an interest in the general welfare of the city. The Harlingen Golf Course Advisory Board shall elect from its membership a chairman who shall not vote except when necessary to break a tie.
- b.) **Term** The Mayor and five Commissioners shall each appoint one member to the Board. The six members of the Board shall serve a term of three years, but in no case shall the term of any Board member exceed the term of office of the Mayor or Commissioner making such appointment. In the event a member of the Harlingen Golf Course Advisory Board vacates office during his term, the Mayor or Commissioner making the appointment shall appoint a replacement who shall serve for a term not to exceed the remaining term of office of the Mayor or Commissioner making said replacement appointment. Each appointee shall continue to serve until a successor is appointed. An appointee shall forfeit his office if such appointee fails to attend three consecutive meetings in a calendar year.
- c.) **RESPONSIBILITIES** Such Board being authorized to make periodic inspections of the Harlingen Municipal Golf Course; and to make recommendations to the

Elective Commission of the City of Harlingen concerning the City's continuing ownership and operation of such Golf Course, providing for the appointment of such board members by the Elective Commission; providing for the contracting for the operation and maintenance of such Golf Course.

DIVISION SIXTEEN

2.450 HARLINGEN PROUD ADVISORY BOARD (KEEP HARLINGEN BEAUTIFUL)

- a.) **MEMBERSHIP** The number of Directors shall be determined from time to time by the Board of Directors but shall not be less than nine. Directors shall serve until their successors are duly elected and qualified. The six-person initial Board of directors shall be appointed by the City Commission and shall constitute the initial Executive committee serving full two-year terms. The remaining twelve members of the first Board of directors shall select by lot those among them to serve full one and two year terms. Nominations for successor Directors to the Elective Commission of the City of Harlingen shall be made by majority vote of Board of Directors in accordance with the nominations received from the nominating committee pursuant to paragraph 5.02.01 herein. The Commission shall appoint the Directors. Directors may serve more than one term. Each Director shall be at least eighteen (18) years of age and be of good moral character and demonstrate an interest in the general welfare of Harlingen.
- b.) **Term** They shall be elected for two (2) year, staggered terms, so that approximately one-half of the Directors shall be elected each year.
- c.) **RESPONSIBILITIES** Conduct educational and charitable activities associated with recycling waste products, preventing litter and beautifying the community in general.

DIVISION SEVENTEEN

2.451 HEALTHY HARLINGEN ADVISORY BOARD

- a.) **MEMBERSHIP** The Healthy Harlingen Advisory Board was established in October 2015. The Board is currently developing its bylaws.

DIVISION EIGHTEEN

2.452 HARLINGEN PUBLIC LIBRARY BOARD

- a.) **MEMBERSHIP** The Public Library Board shall consist of six members appointed by the Mayor and City Commission and terms run concurrent wit the terms of the Mayor and City Commissioners. appointing them. Each appointee shall be 18 years of age. Each appointee or the appointee's spouse must be a resident of the City or work /operate a business in the City.
- b.) **Term** The members shall serve a maximum of three years and shall not exceed the term of the Mayor or City Commissioner who appointed he or she.
- c.) **RESPONSIBILITIES** The Library Advisory Board shall determine and establish the general policies and program for the operation, conduct and management of the Public Library Service, etc.

DIVISION NINETEEN

2.453 MUNICIPAL AUDITORIUM ADVISORY BOARD

- a.) **MEMBERSHIP** The Municipal Auditorium Advisory Board shall consist of six members appointed by the Mayor and City Commissioners.
- b.) **Term** Terms shall run concurrently with the Mayor and City Commission's respective appointments.
- c.) **RESPONSIBILITIES** The Harlingen Municipal Auditorium Advisory Board shall set policy, over and coordinate implementation of programs, facilities, services and marketing, and to generate funds for management, operation, promotion and improvements of the Auditorium.

DIVISION TWENTY

2.454 MUSEUM ADVISORY BOARD

- a.) **Membership** The Harlingen Arts and Heritage Museum Advisory Board shall consist of nine members. The Mayor and City Commissioners each have one appointment and the Board appoints three members and two alternates.
- b.) **Term** City Commission appointments serve staggered, three-year terms. Board appointments will serve one-, two- or three-year terms.
- c.) **Duties** The Harlingen Arts and Heritage Museum shall be responsible to the City Commission for the efficient and proper operation of the Harlingen Museum System

DIVISION TWENTY-ONE

2.455 PARKS ADVISORY BOARD

- a.) **MEMBERSHIP** The Parks Advisory Board shall consist of six members. Each appointee (or appointee's spouse) shall be least 18 years old, of good moral character and standing in the community, and known to be in the beautification of public property, and the parks system and the recreation programs of the City. The Mayor and City Commissioners shall each appoint one member, but in no case shall the member serve for a term longer than the term of the Mayor or City Commissioner respectively appointed.
- b.) **Term**
- c.) **RESPONSIBILITIES** The Parks Advisory Board shall acquaint its self with and make a continuous study and inspection of the complete park and recreation system of the city and shall advise the City Commission, from time to time, as to the present and future maintenance, operation, planning, acquisition, development, enlargement, and public use policy of the city parks and recreation system.

DIVISION TWENTY TWO

2.456 SMALL BUSINESS COMMITTEE.

- a.) Membership**
- b.) Term**
- c.) Responsibilities**

DIVISION TWENTY THREE

DIVISION 24.

2.458 LANDMARKS AND LOCAL HISTORY COMMISSION

- A.) MEMBERSHIP** A landmarks and local history commission is hereby created and established, the same to consist of the current mayor of the city, from time to time, all living ex-mayors of the city, and such other interested and qualified citizens of the city as the mayor and city commission shall see fit to appoint from time to time.
- B.) TERM** The tenure of such members of the commission shall be permanent and shall be terminated only by death or voluntary resignation of such members, or by removal pursuant to rules and regulations of the landmarks and local history commission.
- C.) RESPONSIBILITIES** The landmarks and local history commission shall be authorized and empowered to conduct research into the history of the city, such research to include data of prominent people and landmarks involved in the history of the city and to make reports thereon, from time to time, to the city commission for the purpose of enabling the city commission to, with the aid of such reports and information, establish public memorials and/or museum sites, from time to time, as same may appear

advisable; and for the further purpose of planning and conducting historical and public commemorative events as may be determined advisable from time to time; it being further provided for that nothing herein shall be construed to prevent the founding and events of public memorials and museums or the conducting of public commemorative events by other civic minded individuals or agencies from time to time.

D.) Organization. The landmarks and local history commission shall meet as soon as possible after the enactment of this division for the appointment of its members and completion of its organization and making of such rules and regulations for the conduct of its meetings and carrying out the provisions hereof as shall be needed, including rules for the removal of members of the commission from time to time.

(Code 1973, § 2-236; Code 1997, § 32.087; Ord. No. 62-25, 12-5-1962)

Secs. 2-455—2-476. Reserved.

DIVISION 25

2.477. LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL

- a. City authorized to be member.** The city shall be and is herewith authorized to be and become a member of the Lower Rio Grande Valley Development Council. The mayor of the city is hereby authorized and instructed to take such action as is necessary to effect such membership.
- b.) Appointment of representatives.** The commission of the city shall, from time to time, as is necessary, designate the individuals to serve as the representative members of the Lower Rio Grande Valley Development Council for the city.
- c.) Payment of membership fees.** The city manager and director of finance of the city are herewith authorized and instructed to disburse an amount in proper payment for membership fee in the Lower Rio Grande Valley Development Council.

Secs. 2-480—2-496. Reserved.

DIVISION 25

2.497 COMMUNITY DEVELOPMENT ADVISORY BOARD

a.) Established. A board to be known as the community development advisory board is hereby established.

b.) Purpose The basic purpose for the creation and existence of the community development advisory board is to encourage citizen participation in every phase of community development, to provide a forum for input by more persons through small group sessions, and to establish a link between individual neighborhoods and an advisory board which will report recommendations directly to the city commission.

(Code 1973, § 2-344; Code 1997, § 32.126; Ord. No. 74-34, 11-6-1974)

c.) The community development advisory board shall be composed of 12 adult residents of the city and qualified voters of the state, three members from each quadrant.

d.) The board shall be appointed by the mayor and commissioners of the city with each having three appointments being allocated by drawing lots. The appointees shall reside in and be chosen from the following four quadrants. Any land annexed after the date of these bylaws shall be included in the quadrant adjacent to the annexation.

Quadrant 1 (west), consisting of census tracts:

- 103 Block Group 3.
- 104.01 Block Group 2.
- 104.02 Block Groups 1, 2, and 3.
- 105 Block Groups 1, 2, and 3.
- 109 Block Groups 1 and 2.
- 110 Block Groups 1, 2, 3, and 4.
- 120 Block Groups 1, 2, 3, and 4.

Quadrant 2 (north), consisting of census tracts:

- 102.01 Block Group 1.
- 102.02 Block Groups 1 and 2.
- 106.01 Block Groups 1, 2, 3, 4, and 5.

106.02 Block Group 1.
107 Block Groups 1, 2 and 3.
108 Block Groups 1 and 2.

Quadrant 3 (east), consisting of census tracts:

102.01 Block Group 1.
102.02 Block Group 3.
108 Block Groups 3 and 4.
113.01 Block Groups 1 and 2.
113.02 Block Groups 1, 2, and 3.
114 Block Group 4.
117 Block Group 4.

Quadrant 4 (south), consisting of census tracts:

111 Block Groups 1, 2, 3, and 4.
112 Block Groups 1 and 2.
118.01 Block Groups 1, 2, and 3.
118.02 Block Groups 1, 2, and 3.
121 Block Groups 1 and 3.

- e.) Appointees shall serve for a maximum term of three years, but in no case shall the term of office of any member of the community development advisory board extend beyond the term of office of the mayor or city commissioner who appointed such board member. If a member of the community development advisory board vacates office during his term, a replacement appointment shall be made by the mayor or commissioner who appointed such board member and the replacement appointment will serve for a term not to exceed the remaining term of office of the mayor or commissioner who names such replacement appointment. At the expiration of the term of any member, such member shall continue to serve until a replacement appointment is made. The mayor and city commissioners shall be ex officio members of the board.

(Code 1973, § 2-345; Code 1997, § 32.127; Ord. No. 74-34, 11-6-1974; Ord. No. 88-59, 10-1-1988; Ord. No. 93-27, 4-8-1993; Ord. No. 96-10, 3-20-1996; Ord. No. 96-41, 7-17-1996; Ord. No. 12-22, § 1, 3-7-2012)

-
- f.) Organization.** The community development advisory board shall elect a chairperson by a majority vote of its membership, and shall formulate and adopt rules and regulations for the conduct of its meetings and for its set up, organization and operation. The chairperson of the community development advisory board shall not vote except when necessary to break a tie.

(Code 1973, § 2-346; Code 1997, § 32.128; Ord. No. 74-34, 11-6-1974; Ord. No. 88-59, 10-19-1988)

- g.) Powers and duties.** The community development advisory board is hereby empowered to hold and conduct public meetings from time to time, to conduct meetings as frequently as necessary to assist in applications to the department of housing and urban development for funding; to request technical assistance from members of the city staff; to report directly to the mayor and city commissioners with recommendations for community development.

(Code 1973, § 2-347; Code 1997, § 32.129; Ord. No. 74-34, 11-6-1974; Ord. No. 96-10, 3-20-1996)

h.) Absences. Any member of the community development advisory board who is absent for three consecutive meetings shall be automatically dropped from membership on said board, with the resulting vacancy to be filled as provided for in section 2-499. The following conditions will always constitute excused absences: illness of member or immediate family, childbirth, required business or professional travel, employment responsibilities, inclement weather, or death. The chairperson will resolve any question as to whether an excused absence should be granted.

- i) Attendance.** Attendance shall be recorded on the official minutes to each meeting and indicate either present, excused absence or unexcused absence for each member.

(Code 1973, § 2-347.1; Code 1997, § 32.130; Ord. No. 75-34, 2-5-1975; Ord. No. 96-10, 3-20-1996; Ord. No. 12-22, § 1, 3-7-2012)

Secs. 2-503—2-517. Reserved.

DIVISION 26.

2-518 TEEN AND YOUNG ADULT ADVISORY BOARD

a.) Membership The teen and young adult advisory board is hereby created each city commissioner including the mayor shall appoint one individual between the ages of 18—23 to serve on this board. Members must be residents of the city and shall serve a term concurrent with the elected official that appointed them. Harlingen High School, Harlingen High School South, Early College High School, and Harlingen School of Health Professions will each have one representative appointed by their principal or their designee. Members appointed by the schools must be reappointed every year. The board shall consist of ten members.

(Ord. No. 2022-23 , § 1, 5-4-2022)

b.) Officers The members of the board will select from themselves a chairperson and a vice chairperson. The chairperson will conduct the meeting and in their absence, the vice chairperson will conduct the meeting. Each position will be for a one-year term. Members may serve multiple terms if they are so elected by the board. Robert's Rule of Order will be used to conduct the meetings. The city manager will appoint a member of the staff to serve as a liaison between the city and the board.

(Ord. No. 2022-23 , § 2, 5-4-2022)

c.) Duties The duties of the teen and young adult advisory board shall be:

- The board shall meet on the first Tuesday of every month.
- The board will provide recommendations to the city on what type of venues, activities, programs, classes or other events teens and young adults would find engaging and entertaining including possible locations for these events. Provide recommendations on what avenues (Facebook, Instagram, TikTok, Snapchat, etc.) should be used to reach this age group. Board members will be encouraged to attend any event activity, program or class created by the board. Board members will also be encouraged to attend established activities sponsored by the city and provide any recommendations for expanding or improving these activities to encourage increased participation by our youth.
- Provide recommendations to establish a mode of communication between youth and community related issues and foster civic engagement among our youth. The board should be a place for youth to speak on issues /areas of focus that are important to them and to voice their opinions and be involved in community discussions.
- To encourage civic engagement, members of the board will be required to attend one city commission meeting or school board meeting per year and provide a brief report back to the board on their experience and perspective on why these commissions or boards are needed and the importance of the roles individuals who serve on these policy making entities represent.
- Board members will also be encouraged to shadow a city department including Harlingen Water Works and Valley International Airport once a year for a full day and

provide a brief report on knowledge gained regarding the department, the significance of the department and the vital role it represents in the community. This is meant to encourage and promote public service and leadership.

- The board will provide a report to the city commission on any recommendations approved by the board.

(Ord. No. 2022-23 , § 3, 5-4-2022)

Secs. 2-521—2-532. Reserved.

DIVISION 27

. VETERANS ADVISORY BOARD

Sec. 2-533. Created; membership; vacancy or forfeiture of office.

- (a) *Created.* The veterans advisory board is herewith created.
- (b) *Membership.* The veterans advisory board shall consist of 12 members. Each appointee to said board shall be:
 - 1.) At least 18 years of age;
 - 2.) Either a resident of the city or work or operate a business in the city or reside or work or operate a business within the boundaries of the Harlingen Consolidated Independent School District;
 - 3.) An honorably discharged veteran of the U.S. Military or be a person of first degree of consanguinity or affinity to a deceased veteran; and
 - 4.) Of good moral character and demonstrate an interest in the general welfare of the city.
- (c) *Appointment; terms.* The mayor and commissioners shall each appoint two members to the board. Each board member may serve a maximum term of three years, but in no case shall the term of any board member exceed the term of office of the mayor or commissioner making the appointment. The city manager shall appoint a city employee as an ex officio member to the board with no voting privileges.
- (d) *Vacancy or forfeiture of office.* If a member of the board vacates office during his term the mayor or commissioner making such appointment shall appoint a replacement who shall serve for a term not to exceed the remaining term of office of the mayor or commissioner making said replacement appointment. The appointee shall forfeit his office if such appointee fails to attend three consecutive meetings in a calendar year.

(Code 1997, § 32.160; Ord. No. 10-22, 6-16-2010; Ord. No. 15-18, § I, 6-3-2015)

(e.) Duties The veterans advisory board shall be an advisory board to the city commission.

The duties of the veterans' advisory board shall be to:

- (1) Provide a liaison between the veterans and the city commission.
- (2) Advise the city commission on the needs of local veterans, the resources available to local veterans, and programs that could benefit the needs of local veterans and their families.
- (3) Advise the city commission on federal and state legislative priorities involving veterans' issues.
- (4) Serve as a network for the exchange of information relative to veterans' activities.
- (5) Promote and organize involvement in veterans' related events and functions within the city.
- (6) Make reports and recommendations to the city commission regarding issues affecting veterans.

(Code 1997, § 32.162; Ord. No. 10-22, 6-16-2010)

(f) Election of officers; establishment of rules and regulations. The members of the veterans advisory board shall elect from its membership a chairperson who shall not vote except to break a tie. The board shall establish rules and regulations for its meetings and conducting its authorized operations as herein provided for. Seven members present at a meeting shall constitute a quorum.

(Code 1997, § 32.163; Ord. No. 10-22, 6-16-2010)

g.) Reports and recommendations to city commission.

Such board shall submit recommendations to the city commission for any and all action to be taken by the city regarding issues affecting veterans of the United States of America.

(Code 1997, § 32.164; Ord. No. 10-22, 6-16-2010)

h.) Compensation.

The members of the veterans advisory board shall receive no compensation from the city.

(Code 1997, § 32.165; Ord. No. 10-22, 6-16-2010)

Secs. 2-539—2-569. Reserved.

DIVISION 28

. SENIOR CITIZENS ADVISORY BOARD

Sec. 2-570. Senior Citizens Advisory Board

- (a) *Created.* The senior citizens advisory board is herewith created.
- (b) *Membership.* The senior citizens advisory board shall consist of 11 members. Six appointees shall be 55 years of age or older and the remaining five appointees shall each represent an organization that fund or provide services to senior citizens or represent a mobile home park for senior citizens or other retirement community within the city. Each appointee to said board shall be:
 - (1) A resident of the city or work or operate a business in the city; and
 - (2) Of good moral character and demonstrate an interest in the general welfare of
the city.
- (c) *Requirements; terms.* The mayor and commissioners shall each appoint one member to the board who are 55 years of age or older. Each commissioner shall also appoint one member to the board who represents an organization that funds or provides services to senior citizens within the city. Each board member may serve a maximum term of three years, but in no case shall the term of any board member exceed the term of office of the mayor or commissioner making the appointment. The city manager shall appoint a city employee to serve as an ex officio member to this board with no voting privileges.
- (d) *Vacancy or forfeiture of office.* If a member of the board vacates office during his term the mayor or commissioner making such appointment shall appoint a replacement who shall serve for a term not to exceed the remaining term of office of the mayor or commissioner making said replacement appointment. The appointee shall forfeit his office if such appointee fails to attend three consecutive meetings in a calendar year.

(Code 1997, § 32.170; Ord. No. 10-29, 7-7-2010)

E.) The senior citizens board shall be an advisory board to the city commission.

(Code 1997, § 32.171; Ord. No. 10-29, 7-7-2010)

F.) Powers and duties of the board. The duties of the senior citizens advisory board shall be to:

- (1) Provide a liaison between senior citizens and the city commission.
- (2) Advise the city commission on the needs of senior citizens, the resources available to local senior citizens, and programs that could benefit the needs of local senior citizens and their families.
- (3) Advise the city commission on federal and state legislative priorities involving senior citizen issues.
- (4) Serve as a network for the exchange of information relative to senior citizens' activities.
- (5) Promote and organize involvement in senior citizens' related events and functions within the city.
- (6) Make reports and recommendations to the city commission regarding issues affecting senior citizens.

(Code 1997, § 32.172; Ord. No. 10-29, 7-7-2010)

G.) Election of officers; establishment of rules and regulations.

The members of the senior citizens advisory board shall elect from its membership a chairperson who shall not vote except to break a tie. The members of the senior citizens advisory board shall elect from its membership a vice-chairperson who shall serve in the absence of the chairperson. The vice-chairperson shall not vote except to break a tie. The board shall establish rules and regulations for its meetings and conducting its authorized operations as herein provided for. Six members present at a meeting shall constitute a quorum.

(Code 1997, § 32.173; Ord. No. 10-29, 7-7-2010; Ord. No. 11-49, § 1, 10-19-2011)

H. Reports and recommendations to city commission.

Such board shall submit recommendations to the city commission for any and all action to be taken by the city regarding issues affecting senior citizens.

(Code 1997, § 32.174; Ord. No. 10-29, 7-7-2010)

I. Compensation.

The members of the senior citizens advisory board shall receive no compensation from the city.

(Code 1997, § 32.175; Ord. No. 10-29, 7-7-2010)

Secs. 2-576—2-598. Reserved.

DIVISION 29

. CONVENTION AND VISITORS BUREAU

Sec. 2-599. Incorporation; chain-of-command.

- (a) The convention and visitors bureau will be brought into the city as a department on January 4, 2010, and its employees will be granted all the customary benefits afforded to non-civil service employees.
- (b) The executive director for the convention and visitors bureau will report directly to the assistant city manager.

(Code 1997, § 32.180; Ord. No. 09-35, 12-2-2009)

Sec. 2-600. Created; membership requirements.

- (a) Board members shall be appointed from the following sectors:
 - (1) Two persons who work or worked in a hotel or motel in a managerial capacity.
 - (2) One person who works or worked in a restaurant in a managerial capacity.
 - (3) One person who works or worked in a retail establishment in a managerial capacity.
 - (4) One person who represents the arts but is not a city employee.
 - (5) One person who helps organize or promote events for the community.
 - (6) One person who works in or represents nature tourism.
- (b) Each member shall serve a term concurrent with the term of the city commissioner who appointed the member. All members of the board shall be at least 21 years of age.
- (c) Members appointed to the board must reside within the Harlingen Consolidated Independent School District jurisdictional boundary or work at or operate a business within the corporate city limits of the city.
- (d) Criteria for membership on the board shall be as follows:
 - (1) Board members shall be appointed from the following sectors:
 - a. Two persons who are owners of a hotel or motel in the city or who work in a local hotel or motel in a managerial capacity;
 - b. One person who is the owner of a restaurant in the city or who works in a local restaurant in a managerial capacity;

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- c. One person who is an owner or manager in a retail establishment;
 - d. One person who represents the arts but is not a city employee.
 - e. One person who helps to organize or promote amateur sporting events for the community; and
 - f. One person who works in or represents nature tourism.
- (2) The city commissioners will draw lots to determine which commissioner will make appointments from particular sectors.
 - (3) An assistant city manager shall serve in an ex-officio capacity.
 - (4) No board members may serve more than three consecutive terms.

(Code 1997, § 32.181; Ord. No. 09-35, 12-2-2009; Ord. No. 10-8, 3-3-2010; Ord. No. 12-38, § 1, 6-6-2012; Ord. No. 2016-56, § 1, 12-7-2016; Ord. No. 18-24, § 1, 6-20-2018)

Sec. 2-601. Organizations represented by board of directors.

- (a) In addition to the appointments made by the city commissioners, the following organizations will also have a member serve on the board of directors:
 - (1) The Harlingen Chamber of Commerce themselves shall appoint one member who serves on the Harlingen Chamber of Commerce Board of Directors or who is employed by the Chamber;
 - (2) The Rio Grande Valley Birding Festival themselves shall appoint one person from their organization to serve on the board of directors;
 - (3) The Harlingen Performing Arts Theatre themselves shall appoint one member who serves on their board of directors or who is employed by the Harlingen Performing Arts Theatre;
 - (4) The downtown improvement district themselves shall appoint one member who serves on the board of directors or is an employee of the downtown improvement district;
 - (5) The recreational vehicle association shall appoint one member from their association who is a Harlingen resident; and
 - (6) The Marine Military Academy themselves shall appoint one person who is employed at the Marine Military Academy.
- (b) An assistant city manager shall serve as an ex officio member of the board. The board members not appointed by the city commission shall serve two-year staggered terms. The members shall draw lots and four of the members shall serve a two-year term and three members shall initially serve one year terms. Thereafter, the initial term, all board members shall serve two year terms.

(Code 1997, § 32.182; Ord. No. 09-35, 12-2-2009; Ord. No. 10-8, 3-3-2010; Ord. No. 12-38, § 1, 6-6-2012)

Sec. 2-602. Quorum.

A quorum for the board of directors shall be four board members for official action. Any board member who fails to attend three consecutive monthly meetings shall automatically forfeit membership without further action by the board of the city commission.

(Code 1997, § 32.183; Ord. No. 09-35, 12-2-2009; Ord. No. 10-8, 3-3-2010; Ord. No. 12-38, § 1, 6-6-2012; Ord. No. 2016-56 , § 1, 12-7-2016)

Sec. 2-603. Duties.

The board shall have the following duties:

- (1) The board members shall choose from among its membership a chairperson and vice-chairperson for one-year terms. The chairperson shall preside over the board meetings. The vice-chairperson shall act in the capacity of the chairperson in the chairperson's absence;
- (2) The board shall develop a strategic visitors and conventioners plan and recommend modifications to the plan as necessary;
- (3) The board shall provide input to the Harlingen Convention and Visitors Bureau regarding tourism strategies and visitors and conventioners' activities in the city.

(Code 1997, § 32.184; Ord. No. 09-35, 12-2-2009; Ord. No. 10-8, 3-3-2010; Ord. No. 2016-56 , § 1, 12-7-2016)

Secs. 2-604—2-624. Reserved.*DIVISION 30**. AUDIT COMMITTEE***Sec. 2-625. Creation.**

- (a) An audit committee is hereby created by the city commission to advise the city commission in fulfilling its oversight responsibilities by assessing and making recommendations regarding the city's financial and performance audits, including the systems of internal control and the audit processes, findings, and recommendations, including, but not limited to, the responsibilities set forth in section 2-627, and otherwise assessing city wide financial and performance activities brought to the attention of the audit committee.
- (b) In performing its work, the audit committee shall maintain an open avenue of communication between the city commissioners, city management, internal auditor and independent external auditor, thereby helping to maintain public trust that the city has fulfilled its fiduciary responsibility to its citizens.

(Code 1997, § 32.190; Ord. No. 08-38, 6-4-2008)

Sec. 2-626. Membership requirements.

- (a) The audit committee shall consist of five members, which shall include the mayor or, at the option of the mayor, a second appointed city commissioner, an appointed city commissioner, an appointment by the Harlingen Waterworks, an appointment by the Harlingen Airport Board and a resident of the city appointed by the mayor. The mayor shall appoint the chairperson.
- (b) The city commission shall appoint the members from the city commission. Each member of the audit committee shall meet generally accepted standards for members of audit committees.
- (c) At least two members of the audit committee shall have a background in financial reporting, accounting, and auditing. However, the lack of any such specific membership shall not invalidate or otherwise affect the actions taken by the audit committee.
- (d) The audit committee shall report directly to the city commission. The audit committee shall be appointed annually at the first regular meeting in June.

(Code 1997, § 32.191; Ord. No. 08-38, 6-4-2008)

Sec. 2-627. Duties and responsibilities.

The audit committee shall have the following general duties and responsibilities:

- (1) The audit committee shall have unrestricted access to members of management (which shall be any person employed by the city in a supervisory capacity), city employees and relevant information as solely determined by the audit committee.
- (2) The audit committee shall meet four times per year, or more frequently as circumstances require as determined by the chairperson. The chairperson shall schedule all meetings and provide the members with a written agenda. A simple majority shall be a quorum and an affirmative vote of at least three members shall be required for any action to be taken by the audit committee. The audit committee shall adopt such rules and procedures as it deems appropriate.
- (3) The audit committee shall meet at least annually with the independent external auditor, the internal auditor, and management to discuss any matters that the audit committee believes should be discussed with the audit committee. As an advisory committee, the audit committee is not subject to the Open Meetings Act and it shall be exempt from the city policy requiring advisory boards to comply with the Open Meetings Act.
- (4) The audit committee shall provide an annual report to the city commission stating, among other things, whether the audit committee has:
 - a. Analyzed and discussed the audited financial statements with management;
 - b. Received representations from the independent external auditors regarding the auditors' independence and compliance with audit standards of the American Institute of Certified Public Accountants (AICPA), the U.S. General Accounting

Office, and the single audit standards of the U.S. Office of Management and Budget;

- c. Discussed with the independent external auditors the matters required to be discussed by AICPA Statements on Auditing Standards on Communication with the audit committee;
 - d. Considered whether the terms of engagement with the independent external auditor are appropriate or should be changed; and
 - e. Reviewed and evaluated the city's internal audit function.
- (5) The audit committee must continually assert that, and assess whether, the tone at the top embodies insistence on integrity and accuracy in financial reporting. The committee will serve as the monitoring body for fraud reporting.

(Code 1997, § 32.192; Ord. No. 08-38, 6-4-2008)

Sec. 2-628. Reviewing and evaluating internal controls and risk assessment.

The audit committee shall review and evaluate internal controls and risk assessment as follows:

- (1) Review and evaluate the effectiveness of the city's process for assessing significant risks or exposures and the steps management has taken to monitor and control such risks to the city;
- (2) Consider and review with management the internal audit staff and the independent auditor with regard to:
 - a. The effectiveness of or weaknesses in the city's internal controls, including the status and adequacy of information systems and security;
 - b. Any related significant findings and recommendations of the independent external auditor and the internal auditors, together with management's responses, including the timetable for implementation of recommendations to correct weaknesses in the internal controls; and
- (3) Instruct the independent external auditor to communicate directly to the audit committee any serious difficulties or disputes with management. The independent external auditor is ultimately responsible to the city commission through the audit committee.

(Code 1997, § 32.193; Ord. No. 08-38, 6-4-2008)

Sec. 2-629. Internal audit activities.

The audit committee shall have the following responsibilities with regard to review of internal audit activities:

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- (1) Review, revise and approve the city's annual internal audit plan and recommend other special audits, reviews or analyses as deemed necessary. For an effective audit, the committee shall consider the internal audit plan confidential as to the date and scope of activities.
 - (2) Evaluate the audit scope and role of internal audit.
 - (3) Consider and review with management:
 - a. Significant findings and management's response, including the timetable for implementation to correct weaknesses;
 - b. Any difficulties encountered in the course of their audits, such as restrictions on the scope of their work or access to information;
 - c. Any changes required in the planned scope of their audit plans; and
 - d. The internal audit budget.
 - (4) Review and approve the City Auditor's Charter and policy manual.
 - (5) Meet with the internal auditor a minimum of four times per year for the purpose of reviewing the results of the internal audit and management's response, or more frequently as called by the chairperson.

(Code 1997, § 32.194; Ord. No. 08-38, 6-4-2008)

Sec. 2-630. Financial reporting.

The audit committee shall have the following responsibilities with regard to financial reporting:

- (1) Review with management and the internal auditor the city's interim financial statements and budget comparisons.
- (2) Advise management and the city commission if anything has come to the audit committee's attention that causes it to believe that the audited financial statements included in the city's financial statements of management's discussion analysis contain any untrue statement of material fact or omit to state a necessary material fact.
- (3) Review with management and the independent external auditor at the completion of the annual examination:
 - a. The city's annual financial statements and related notes;
 - b. The independent external auditor's audit of the annual financial statements and the auditor's report;
 - c. Any significant changes required in the independent external auditor's audit plan;
 - d. The city's accounting procedures; and
 - e. Other matters related to conduct, which should be communicated to the audit committee under generally accepted auditing standards.

(Code 1997, § 32.195; Ord. No. 08-38, 6-4-2008)

Sec. 2-631. Independent external auditor.

The audit committee shall have the following responsibilities with regard to the independent external auditor:

- (1) Advise the city commission on the qualifications for selection of the independent external auditor, and, if requested by the city commission, assist in the selection of the independent external auditor;
- (2) Review the scope and approach of the annual audit with the independent external auditor; and
- (3) Assess the independent external auditor's process for identifying and responding to key audit and internal control risks.

(Code 1997, § 32.196; Ord. No. 08-38, 6-4-2008)

Sec. 2-632. Established as advisory committee only.

The audit committee shall not plan or conduct audits or determine that the city's financial statements are complete and accurate and are in accordance with generally accepted accounting principles as those activities are the sole responsibility of management and the independent external auditor; nor shall the audit committee conduct investigations to resolve disagreements between management and the independent external auditor or assure compliance with laws and regulations. The audit committee is merely an advisory committee and has no power to decide policy or to take governmental action.

(Code 1997, § 32.197; Ord. No. 08-38, 6-4-2008)

Secs. 2-633—2-652. Reserved.

DIVISION 31

. HOSPITAL AUTHORITY¹

Sec. 2-653. Created; boundaries; name of authority.

- (a) The city commission has found and determined, and hereby finds, that it is to the best interest of the city and its inhabitants to create a hospital authority without taxing power to comprise all of the territory included within the boundaries of the city, and said hospital

¹State law reference(s)—Municipal hospital authorities, Texas Health and Safety Code ch. 262.

authority is hereby created pursuant to the Hospital Authority Act (Texas Health and Safety Code ch. 262) and the same shall be a body politic and corporate.

- (b) The hospital authority created in subsection (a) of this section shall be called the Rio Grande Valley Hospital Authority, which is hereby designated as the name by which said authority shall be known.

(Code 1973, §§ 15½-1, 15½-2; Code 1997, § 92.65; Ord. No. 77-34, 6-7-1977)

State law reference(s)—Creation of hospital authority authorized, Texas Health and Safety Code § 262.003.

Sec. 2-654. Membership of board of directors; terms; filling of vacancies.

- (a) The Rio Grande Valley Hospital Authority shall be governed by a board of directors consisting of seven members, with the original members and all subsequent members to be appointed by the city commission. Each member shall be appointed for a term of two years. Each of the directors herein appointed shall qualify by executing the oath of office required of appointed officials of the State of Texas.
- (b) The termination date of the term of each member of the board shall be March 1 of each respective year in which such terms are scheduled to expire, and the beginning date of each successive term shall be on March 1. If a vacancy on the hospital authority board occurs, such vacancy shall be filled by appointment by the mayor and approval by the city commission of a resident citizen of the city to serve the remainder of the term of such vacancy. In the event that upon the expiration of the term of any such member his replacement is not succeeded by appointment by the mayor and commission as herein provided for, such member shall nevertheless continue as a member of such board until a replacement appointment is in fact made by the mayor and commission as herein provided for, with such replacement appointment to terminate on the regularly scheduled date as herein provided for.

(Code 1973, § 15½-5; Code 1997, § 92.68; Ord. No. 77-34, 6-7-1977; Ord. No. 80-31, 3-19-1980)

State law reference(s)—Size and appointment of board of directors, Texas Health and Safety Code §§ 262.011, 262.012.

Secs. 2-655—2-681. Reserved.

DIVISION 32

. HOUSING AUTHORITY²

²State law reference(s)—Housing authorities, Texas Local Government Code ch. 392.

Sec. 2-682. Created.

- (a) Pursuant to the provisions of Texas Local Government Code § 302.01, the housing authority of the city was activated by resolution of the city commission on August 24, 1938, as recorded in Volume 7, Page 410, minutes of the city.
- (b) The appointment, operation, powers and duties of the authority are directly provided by Texas Local Government Code ch. 392.

(Code 1973, § 8-52; Code 1997, § 150.020; Ord. No. 62-25, 12-5-1962)

10(S)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **March 20, 2024**

Agenda Item:	
Discussion and possible action to approve a resolution authorizing city staff to proceed with the filing of Articles of Incorporation of a Non-Profit Animal Welfare Corporation to support the Harlingen Animal Shelter. Attachment (<i>City Attorney</i>)	
Prepared By: Mark Sossi, City Attorney	
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:	CS
Comments:	
City Attorney's approval:	

RESOLUTION NO. 2024-_____

Resolution _____ of the City of Harlingen Authorizing the Creation of a Non-Profit Animal Welfare Organization to support the prevention of Cruelty to animals and to provide for the sheltering of, caring for and providing homes for lost, stray and abandoned animals within the City of Harlingen, Texas

Whereas between 7 and 8 million companion animals are placed into animal shelters each year,

Whereas between 2 and 3 million companion animals are euthanized each year,

Whereas the City of Harlingen is committed to promoting responsible pet ownership through spaying/neutering microchipping, pet registration and vaccinations,

Whereas the City of Harlingen wishes to do more to promote and protect public health and safety as well as animal care through sheltering, pet placement programs and animal law enforcement,

Whereas the City sees the need for the creation of a Non-Profit Animal Welfare Organization created to specifically support through private means, the Harlingen Animal Shelter

IT IS THEREFORE RESOLVED, that the City Manager of the City of Harlingen is hereby directed to file the attached Articles of Incorporation creating a Non-Profit Animal Welfare Organization within the City of Harlingen,

RESOLVED ON THIS, the ____ day of ____ 2024 at a regular meeting of the Harlingen City Commission at which a quorum was present.

CITY OF HARLINGEN

Mayor Norma Sepulveda

ATTEST:

Amanda C. Elizondo, City of Harlingen

Acknowledged before me, on this the ____ day of March, 2024.