

**CITY COMMISSION
AGENDA
REGULAR MEETING
APRIL 2, 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 **TUESDAY, APRIL 2, 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. Written comments may also be submitted for City staff to read aloud 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-Commissioner Ford Kinsley
 - 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) Proclaiming the Week of April 14-20, 2024 as "National Animal Control Officer Appreciation Week"
 - b) Proclaiming the Week of April 1-5, 2024 as "Community Development Block Grant Week and 50th Year Celebration"
 - c) Proclaiming the Month of April 2024 as "National Healthy Homes Month"
 - d) Proclaiming the Month of April 2024 as "Child Abuse Prevention Month"
 - e) Recognition of Award - Harlingen Collegiate High Robotics Teams
 - f) Recognition of Award - Memorial Middle School "Raiders" Chess Teams
- 5) **Citizen Communication:** *At this time, the public is invited to address the City Commission and speak on any matter not specifically listed for public hearing elsewhere in this agenda. Please note that the City Commission members may not respond to comments or deliberate on topics addressed.*
- 6) **Approval of Minutes:**
 - a) Regular Meeting of February 7, 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 request to close the following streets for the Cinco de Mayo 5K / 1 Mile Fun Run, Friday, May 3, 2024 from 6:00 p.m. to 9:00 p.m., Lon C. Hill Destination Park. Attachment **(Police)**

Fair Park Boulevard in between North "J" Street and North "L" Street
West Teege Street
North "O" Street

West Adam Street
North "T" Street
Turn around point by West Teege Street and Northbound Frontage

- b) Consideration and possible action to approve a request from Logos Community Church to close the following streets from 9:00 a.m. – 12:00 p.m., Monday, June 3, 2024, thru Friday, June 7, 2024, for their Vacation Bible School. Attachment (**Police**).

Southside Intersection of Jackson Avenue and "E" Street
Alleyway in the 100 Block of South "E" Street
Northside Intersection of Van Buren Avenue and "E" Street

- c) Consideration and possible action to approve an ordinance on second and final 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 approve an ordinance on second and final 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**)
- e) Consideration and possible action to approve an ordinance on second and final 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**)
- f) Consideration and possible action to approve an ordinance on second and final 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 relating to Chapter 38-69. Attachment (**Public Works**)
- g) Consideration and possible action to approve a resolution accepting the Harlingen Valley International Airport Mid-Year Budget Amendment for FY 2023-2024. Attachment (**Airport**)
- h) Consideration and possible action to approve a resolution accepting a Federal Aviation Administration (FAA) anticipated Grant Offer No. 3-48-0101-076-2024, for Two Million Dollars, and no/100s (\$2,000,000.00) for the Air Traffic Control Tower Project at Valley International Airport. Attachment (**Airport**)
- i) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Fiscal Year 2023 Staffing for Adequate Fire and Emergency Response Grant Program (SAFER). Attachment (**Special Projects**)
- j) Consideration and possible action to approve a resolution authorizing the City Manager to submit an abridged application to the Texas Water Development Board FY 2024-2025 Flood Infrastructure Fund Grant Program. Attachment (**Special Projects Department**)

- 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 Reports
- b) Staff Reports - Presentation by Texas Municipal League Intergovernmental Risk Pool

(TMLIRP) (*Human Resources/Risk Management*)

- c) Presentation by Texas Historical Independence Celebration Association regarding Texas Fest.

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 Special Use Permit (SUP) request to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at the Stripes Convenience Store located at 1610 S. "F" Street, bearing a legal description of Block 1, Williams Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)
- b) Public Hearing for a Special Use Permit (SUP) request to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision. Applicant: Daisy Nieto. Attachment (**Planning & Development**)
- c) Public Hearing for a rezoning request from Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 102 N. 27th Street, bearing a legal description of Lot 8, Block C, Hunter Subdivision No. 1. Applicant: Mark Hallett. Attachment (**Planning & Development**)
- d) Public Hearing for a rezoning request from Residential, Single-Family ("R-1") District to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of right-of-way, one cul-de-sac to serve 28 lots, and smaller lot sizes for Lots 1, 15-19, 21-33, and 36-48, for a proposed 80-lot single-family development on a property bearing a legal description of 15.76 acres tract of land, being all of Block 4, and a part or portion of Blocks 3, 5, and 17, Stuart Place Subdivision, located along the west side of South Palm Boulevard, approximately 480 feet south of Business Highway 83. Applicant: Javier Hinojosa c/o Jason E. Garza. Attachment (**Planning & Development**)
- e) Public Hearing for necessary water and sewer rate adjustments to provide for forecaster operating expenses, capital asset costs, and funding of Harlingen Waterworks System's Five - Year Capital Improvement Plan. (**HWWS**)

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

- a) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) request to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at the Stripes Convenience Store located at 1610 S. "F" Street, bearing a legal description of Block 1, Williams Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)
- b) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) request to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision. Applicant: Daisy Nieto. Attachment (**Planning & Development**)

- c) Consideration and possible action to approve 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 102 N. 27th Street, bearing a legal description of Lot 8, Block C, Hunter Subdivision No. 1. Applicant: Mark Hallett. Attachment (**Planning & Development**)
- d) Consideration and possible action to approve an ordinance on first reading for a rezoning request from Residential, Single-Family ("R-1") District to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of right-of-way, one cul-de-sac to serve 28 lots, and smaller lot sizes for Lots 1, 15-19, 21-33, and 36-48, for a proposed 80-lot single-family development on a property bearing a legal description of 15.76 acres tract of land, being all of Block 4, and a part or portion of Blocks 3, 5, and Block 17, Stuart Place Subdivision, located along the west side of South Palm Boulevard, approximately 480 feet south of Business Highway 83. Applicant: Javier Hinojosa c/o Jason E. Garza. Attachment (**Planning & Development**)
- e) Consideration and possible action to approve an ordinance on first reading to abandon and vacate a 20-foot drainage easement being a 0.115 acre tract of land out of Lot 1, Block 1, Capps Addition, located along the west side of Loop 499 approximately 725 feet north of Harrison Avenue. Applicant: Santiago Espinoza. Attachment (**Planning & Development**)
- f) Consideration and possible action to approve an ordinance on first reading regarding necessary water and sewer rate adjustments to provide for forecaster operating expenses, capital asset costs, and funding of Harlingen Waterworks System's Five-Year Capital Improvement Plan. Attachment (**HWWS**)
- g) Consideration and possible action to approve the purchase of a Ford Transit Connect Van for the Harlingen Animal Shelter to transport animals to and from the veterinarians' clinics, offsite adoption events and foster homes when needed. Attachment (**Health Dept**)
- h) Consideration and possible action to approve an ordinance on first reading amending the Harlingen Code of Ordinances, Chapter 6, Animals, Article II, Administration and Enforcement, Division 1, and enacting Section 6-26, establishing a dedicated fund entitled "The Harlingen Animal Shelter Fund" in the City's Financial Management and Reporting System to account for all fines collected by the City resulting from the enforcement of certain animal control ordinances, and dedicating exclusive use of those city funds for the operation of 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.

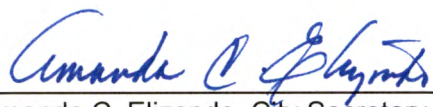
Airport
Animal Shelter Advisory Committee (1)
Audit Committee (Terms expire in June)
Charter Review Committee (4)
Civil Service Commission
Community Development Advisory Board (2)
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement 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
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) Pursuant to Government Code Section 551.071 – attorney consultation and contemplated litigation; Section 551.072 – deliberation regarding real estate; and Section 551.087 - economic development relating to Project Blacktop. **(HEDC)**
 - b) Pursuant to Texas Government Code 551.07 (a) regarding setting goals for City Manager. **(City Attorney)**
 - c) Pursuant to Texas Government Code 551.071 to consult with legal counsel regarding pending Collective Bargaining Agreement with the Fire Union. **(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), 12 (b), and 12 (c) as discussed in executive session
- 14) **Adjournment:**

I, the undersigned authority, do hereby certify that the above Notice of the Regular Meeting of the Harlingen City Commission is a true and correct copy of said notice posted on the bulletin board at City Hall of said City of Harlingen, Texas in a place convenient and readily accessible to the general public at all times and on the City's Internet Website and said Notice was posted on **THURSDAY, MARCH 28, 2024**, at or before 5:15 a.m./p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 28th day of MARCH, 2024


Amanda C. Elizondo, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

A Regular Meeting of the Harlingen City Commission was held February 7, 2024, at 5:30 p.m., at City Hall, Town Hall Meeting Room, 2nd Floor, Harlingen, Texas, and providing the public the ability to view the meeting via the internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.myharlingen.us Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda

Mayor Pro-Tem Rene Perez

Ford Kinsley Commissioner District 1

Daniel N. Lopez, Commissioner District 2

Michael Mezmar, Commissioner District 3

Frank Morales, Commissioner District 4

City Staff

Gabriel Gonzalez, City Manager

Amanda C. Elizondo, City Secretary

Mark Sossi, City Attorney

1) **Call Meeting to Order:**

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

2) **Conflict of Interest:**

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

Mark Sossi, City Attorney, read the Conflict of Interest and asked the Mayor and Commissioners if they had an interest in any of the agenda items.

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

3) **Announcements:**

- a) Mayor's Announcements – Moment of Silence for Connie de la Garza & Gloria Canales
- b) City Manager's Announcements reminded the public of the Harlingen Marathon
- c) City Commission Member Announcements – Commissioner Kinsley thanked all those who attended the recent town hall meetings and community walks. He extended his condolences to the family of James Arnold, a veteran of the U.S. Air Force.

4) **Presentation of Awards – None**

5) **Citizen Communication/Input:**

- Raymond Reyes – 706 Nantucket Drive, Harlingen, TX- Progress
- Dawn Ray Leonard – 4309 N. Minnesota St., Harlingen, TX- Animal Shelter
- Jeramy Gomez – 2910 N. Blake St., Harlingen, TX – Crime in Harlingen
- Melinda Weaver – Advocacy for District 4/Arroyo Park is needed.

6) **Approval of Minutes:**

- a) Special Meeting of November 13, 2023
- b) Regular Meeting of December 20, 2023
- c) Special Joint Meeting of the City of Harlingen and the Board of Trustees of the Harlingen Consolidated Independent School District of January 11, 2024

Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to approve the Special Meeting of November 13, 2023, Regular Meeting of December 20, 2023, and Special Joint Meeting of January 11, 2024. Motion carried unanimously.

7) **Consent Agenda**

- a) Consideration and possible action to approve a request from the Harlingen Marathon Event Committee to close the streets/intersections mentioned in Exhibit "A," Sunday, February 11, 2024, from 6:30 a.m. to 2:00 p.m.
- b) Consideration and possible action to approve a request for street closures for the Downtown at Sundown Events to be held every 3rd Saturday of the month from 7:00 p.m. to 10:00 p.m.
 - East Side Intersection of Commerce Street / Jackson Avenue;
 - North and South side Intersections Jackson Avenue / "A," 1st, and 2nd Streets
 - West Side Intersection of Jackson Avenue / 3rd Street.
- c) Consideration and possible action to accept a one-year extension to the current Vaccination Capacity Grant Contract #HHS001019500021 ending June 30, 2025.
- d) Consideration and possible action to approve a request from the Junior League of Harlingen to close the following streets Saturday, April 13, 2024, from 7:00 a.m. to 11:00 a.m. for their Kid Fit Fun Run and Festival.
 - Fair Park Boulevard between North "L" Street and North "J" Street;
 - No thru traffic to include all entries and exits from The Harlingen Performing Arts & Municipal Auditorium Parking Lots;
 - Northside Intersection of Fair Park Boulevard and Teege Avenue (northbound lanes only)
- e) Consideration and possible action to adopt an ordinance on the second and final reading for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 521 W. Filmore Avenue, bearing a legal description of Lot 1, Block 132, arlingen Original Townsite. Applicant: Reynaldo Del Toro.

ORDINANCE NO. 2024-02

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 521 WEST FILMORE, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 132, HARLINGEN ORIGINAL TOWNSITE.

PASSED AND APPROVED on first reading this 10th day of January 2024

PASSED AND APPROVED on the second and final reading on this 7th day of February 2024.

ATTEST:
/s/Amanda C. Elizondo, City Secretary

City of Harlingen
/s/Mayor Norma Sepulveda

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

ORDINANCE NO. 24-03

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

PASSED AND APPROVED on first reading this 10th day of January 2024

PASSED AND APPROVED on the second and final reading on 7th day of February 2024.

ATTEST:

/s/Amanda C. Elizondo, City Secretary

City of Harlingen

/s/Mayor Norma Sepulveda

- g) Consideration and possible action to approve a request from Raymond Reyes to close West Jackson Avenue from Commerce Street to "F" Street and both sides of E. D. C. and West Streets, Saturday" March 2, 2024, from 4:00 p.m. to 11:59 p.m. to hold the Tuned Motor Sports Car show and Cosplay.
- h) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the LRGVDC FY 2024/2025 Solid Waste Grants Program.

Commissioner Lopez requested to remove Item 7 (b) from the consent agenda.

Motion was made by Commissioner Kinsley and seconded by Commissioner Morales to approve the Consent Agenda Items 7 (a thru h), except Item 7 (b). Motion carried unanimously.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to amend the streets to be as stated and the changes noted on Item 7 (b): "A" Street from Van Buren to Jackson Street; Jackson Street to (Monroe) Street north of it. Motion carried unanimously.

8) Staff Reports and Other Discussion Items:

a) City Manager's Reports - none

b) Staff Report – Parks & Recreation

Javier Mendez, Parks & Recreation Director, gave an overview of the department's operations and highlighted its duties and responsibilities. The department's total budget is \$3.9, excluding grants and \$4.3 million in grants from the Community Development Block Grant, the Community Improvement Board, Texas Parks & Wildlife, and TXDOT (TASA).

Mayor Pro-Tem Perez asked about the status of the splash pad for Victor Park.

Mr. Mendez stated the splash pad would be located next to the pool and the pool water would be used to filter through the pump system. Once the contract is drawn up by Texas Parks & Wildlife, staff will solicit proposals to hire a consultant to do the design. The design will take approximately 90 days and the project is expected to be completed next year. A Western Athletic Conference Tennis Tournament will be held in Harlingen on April 12, 13, and 14, 2024. Thirteen schools will be participating. Staff has been talking to several hotels, and the Hilton will be the host hotel. Staff have discussed this with UTRGV, the Convention and Visitors Bureau Dept., and Communications Dept. to assist in promoting this event. Meetings were held with law enforcement, Fire Department, and STEC to discuss safety issues.

Mr. Gonzalez stated the tournament will be broadcast on ESPN.

Mr. Mendez stated (14) tennis courts at the HEB Tennis Center were recently resurfaced, all the nets were replaced with a grant from HEB, and some shaded areas were added.

Commissioner Kinsley asked if it was possible to use signs along Morgan Blvd. to indicate the Tennis Center's location for additional people would know where it was. Staff are working with Fast Signs to install the signs before the tournament.

Commissioner Mezmar asked if they had consulted with Texas Parks and Wildlife or any biologists/ornithologists to inquire about how lighting affects birds and riparian life along the Arroyo. Bird watching is a big event in Harlingen.

Commissioner Kinsley stated that all these projects are great, but other parks, like the Arroyo Park and Hunter Park in District 1, need improvements.

Mr. Mendez stated that the city got a grant from CDBG to fence the front side of Hunter Park. This project will be done in-house. Some of the improvements that were made such the installation of a water fountain, picnic area, and installation of addition of a security light. There is a concession stand at Arroyo Park, and two fields out of three have sports lighting. There are restrooms and a concession stand.

Discussion was held about the conditions of the restrooms in all of the parks. Mayor Sepulveda stated she had sent pictures of some nice murals to Mr. Mendez. We could utilize people in our community or students to participate such as the Cardinals or Hawks theme in one of the parks. This could help the exteriors; but the interiors must be addressed. They need to be functional and clean.

Mayor Sepulveda suggested contacting the school districts to get some artists (students) or the community to help by keeping up the exteriors.

Commissioner Lopez stated the city received a grant to do the 10-year Comprehensive Plan. Each commissioner should think about what they want, specifically parks in their districts. District 5 needs a park. Victor Park is big and very visible to people traveling and are able to see the improvements that are being made to that park.

Mr. Gonzalez stated the city would be soliciting RFQs for consultants. Once the city receives the grant funding, we will do public outreach to get the community involved and seek final approval from the City Commission.

9) **Public Hearings:**

a) Public hearing for a Special Use Permit (SUP) to Cardiac Building Inc. to allow a parking lot in a Residential, Multi-Family ("M-2") District located at 2101 S. 23rd Street, bearing a legal Description of Lot 6, Block 21, Treasure Hills Subdivision Unit 2.

Mayor Sepulveda announced this is a public hearing and anyone wishing to speak for or against Item 9 (a) may do so.

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

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 1402 E. Bowie Avenue, bearing a legal description of Lot 5, Block 3, Clift Addition. Applicant: Ofelia Painter.

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

There being no comments, Mayor Sepulveda closed the public hearing.

10) **Action Items:**

a) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) to Cardiac Building Inc. to allow a parking lot in a Residential, Multi-Family ("M-2")

District located at 2101 S. 23rd Street, bearing a legal description of Lot 6, Block 21, Treasure Hills Subdivision Unit 2.

Xavier Cervantes, Planning & Zoning Director, stated the Heart Clinic proposes a parking lot on Ed Carey Drive along 23rd Street. We had a similar request in 2022 for a parking lot; this lot will be right next to one that is being proposed. There is a need for parking spaces for the clinic. They are currently working on the landscaping around the first parking area and will have the boundary fence installed in two weeks. The Planning and Zoning Commission recommended approval of the conditions of the first project before the issuance of the permit for the new parking lot.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to adopt the ordinance on first reading for a Special Use Permit (SUP) to Cardiac Building Inc. to allow a parking lot in a Residential, Multi-Family ("M-2") District located at 2101 S. 23rd Street, bearing a legal description of Lot 6, Block 21, Treasure Hills Subdivision, Unit 2. Motion carried unanimously.

- b) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from a Residential, Single-Family ("R-1") District to a Residential, Duplex ("R-2") District for a property located at 1402 E. Bowie Avenue, bearing a legal description of Lot 5, Block 3, Clift Addition. Applicant: Ofelia Painter.

Mr. Cervantes stated that the property owner, who lives on the property, wishes to split the house and convert it into a duplex so that she and her son can live in separate units. No one spoke against this request, and the Planning and Zoning Commission voted unanimously to approve this item.

Motion was made by Commissioner Kinsley and seconded by Mayor Pro-Tem Perez to adopt the ordinance on first reading for a rezoning request from Residential, Single-Family ("R-1") District to Residential Duplex ("R-2") District for the property located at 1402 E. Bowie Avenue, bearing a legal description of Lot 5, Block 3, Clift Addition. Motion carried unanimously.

- c) Consideration and possible action to approve a contract between the City of Harlingen and Dr. Robert Kellogg, DVM, to provide services to the Harlingen Animal Shelter as needed.

Shannon Harvill, Health Director, recommended approving the contract between the City and Dr. Robert Kellogg, a local veterinarian, to assist the Harlingen Animal Shelter staff. Dr. Kellogg will assist with vaccinations, heartworm tests, basic animal evaluations, assessment, and euthanasia to prevent animal suffering. Dr. Kellogg is a longtime resident of Harlingen and has been practicing veterinary medicine in Cameron and Hidalgo Counties for over 40 years. Projected hours would be from 8 to 25 hours at \$1,248 per month.

Mayor Sepulveda stated he had an excellent reputation in the community and was happy to know that he would assist in the Harlingen Animal Shelter transition and educate and share his knowledge with the shelter crew. Staff are working with the school district Veterinarian Tech Program.

Motion was made by Commissioner Lopez and seconded by Commissioner Mezmar to approve a contract between the City of Harlingen and Dr. Robert Kellogg, DVM, to provide services to the Harlingen Animal Shelter as needed. Motion carried unanimously.

- d) Consideration and possible action to approve an ordinance on first reading amending Chapter 18, Master Fee Schedule of the Harlingen Code of Ordinances, establishing fees for adoption of domestic dogs and cats, owner claims, and other services provided by the City of Harlingen relating to Chapter 6 Animals.

Mrs. Harvill stated other valley vet clinics charge higher fees. The RGV Humane Society offers the same package as Harlingen for adoption fees, but their fees are higher.

Mr. Gonzalez stated the plan is to vaccinate pets, but we want to avoid competing with the veterinarians in town. The city will schedule its clinics.

Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to approve the ordinance on first reading amending Chapter 18, Master Fee Schedule of the Harlingen Code of Ordinances, establishing fees for adoption of domestic dogs and cats, owner claims and other services provided by the City of Harlingen relating to Chapter 6, Animals. Motion carried unanimously.

- e) Consideration and possible action to authorize the City Manager to purchase three pick-up trucks from the General Fund.

Mr. Gonzalez recommended purchasing three pick-up trucks from the General Fund.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Kinsley to authorize the City Manager to purchase three pick-up trucks from the General Fund. Motion carried unanimously.

- f) Consideration and possible action to authorize the City Manager to purchase a new striping machine using General Funds.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Morales to authorize the City Manager to purchase a new striping machine from the General Fund. Motion carried unanimously.

- g) Consideration and possible action to approve a request from the Public Works Department to authorize the City Manager to sell fill dirt removed from Lozano Detention Pond.

Chris Torres, Public Works Director recommended selling the dirt from the Lozano. Detention Pond at \$1.00 per cubic yard. Staff received three quotes, one from Sandpits, and the dirt they sell is compacted and clean of any debris. The city's dirt has roots and stumps. Other quotes were from Brownsville Diamond Sandpit \$4.00 per CYD, Olmito Sandpit - \$3.50 per CYD, and Los Fresnos Sandpit - \$2.85 per CYD.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to authorize the City Manager to sell fill dirt removed from the Lozano Detention Pond. Motion carried unanimously.

- h) Consideration and possible action to authorize the City Manager to purchase a new tractor and boom mower from general funds.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Kinsley to authorize the City Manager to purchase a new tractor and boom mower from the General Fund. Motion carried unanimously.

- i) Consideration and possible action to authorize the City Manager to approve the option of a one (1) year contract with Rubicon.

Christopher Torres, Public Works Director, stated the software will be available in every garbage truck. Each driver will have the software in their truck and send the routes to the drivers. We have ten trucks (two extra as spares), ten drivers, and ten routes. If one driver is out for the day, we can send part of that route to other drivers. The software will advise supervisors and administrative staff when daily routes are completed. The reporting capabilities are endless. The cost for the software is \$66,128.00 for one year with optional renewals.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to authorize the City Manager to execute the one-year contract with Rubicon. Motion carried unanimously.

- j) Consideration and possible action to approve a resolution, accepting the Federal Aviation Administration (FAA) Grant Offer No. 3-48-0101-074-2024, for \$3,828,739.00 for the Runway Extension Project at Valley International Airport.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve the resolution, accepting the Federal Aviation Administration (FAA) Grant Offer No. 3-48-0101-074-2024, for \$3,828,739.00 for the Runway Extension Project at Valley International Airport. Motion carried unanimously.

k) Consideration and possible action to approve the Equip Harlingen Grant Program.

Orlando Campos, EDC Chief Executive Officer, stated the Harlingen Economic Development Board unanimously approved the Equip Harlingen Matching Grant Program. The Equip Harlingen is a small business matching grant program offered by the HEDC that provides \$3,000 for new equipment purchases for businesses that are looking to expand their production capabilities. This grant encourages the retention and creation of jobs for business enterprises in Harlingen to stimulate further economic activity. Applicants must have been in business for at least one year before the application date.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to approve the Equip Harlingen Grant Program. Motion carried unanimously.

l) Consideration and possible action to approve funding for the TSTC Goal Line Assistance Program and TSTC CTE Signing Day Scholarship Program for \$100,000.

Orlando Campos, EDC Chief Executive Officer, stated the Harlingen EDC set aside \$100,000 in the 23-24 Fiscal Budget to fund scholarship programs at TSTC. On January 23, 2024, the EDC Board unanimously approved \$50,000 for the TSTC Goal Line Assistance Program and \$50,000 for the TSTC CTE National Signing Day Scholarship Program. Since 2020, Harlingen EDC has provided scholarship funds to the TSTC Foundation for the Goal Line Assistance Program to assist Harlingen students who are financially in need in their final three semesters. Their goal is to complete their degree program or certificate.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve funding of \$100,000 for TSTC Goal Line Assistance Program and TSTC CTE Signing Day Scholarship Program. Motion carried unanimously.

m) Consideration and possible action to approve a resolution designating Plains Capital Bank as the depository for the City of Harlingen for safekeeping of securities and to designate authorized persons to deposit securities and withdraw them pursuant to the Safekeeping/Custody Services Agreement Provisions.

Robert Rodriguez, Finance Director, stated the resolution is to switch banks from Frost Bank to Plains Capital Bank. This is a requirement of the bank. He recommended approval of the resolution.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve the resolution designating Plains Capital Bank as the depository for the City of Harlingen safekeeping of securities and to designate authorized persons to deposit securities and withdraw pursuant to the Safekeeping/Custody Services Agreement Provisions. Motion carried unanimously.

n) Consideration and possible action to approve the Facility Use Agreement between the City of Harlingen and Harlingen United Futbol Club for use of the Harlingen Soccer Complex and authorize the City Manager to execute the agreement.

Mr. Mendez stated staff received the insurance information, 501c3, and list of the board members. The city charges \$1.00 enrollment fee per year instead of \$10 per registrant.

Arturo Aparicio, Coach, started as a lifelong resident of Harlingen; I grew up playing soccer with my father. During high school, I coached soccer and was fortunate to be on a sponsored team that took us to the state playoffs. I attended the University of Texas and decided to return to Harlingen and teach in Harlingen. I teach chemistry and coach soccer. It is now my job to bring the education component to our club, Harlingen United F.C. We hope that the love of the game will someday inspire one of our kids

1 to become an MLS or national team coach from Harlingen. We will do our best to promote the City of
2 Harlingen.

3
4 Motion was made by Commissioner Mezmar and seconded by Commissioner Lopez to
5 approve the Facility Use Agreement between the City of Harlingen and Harlingen United Futbol Club
6 for the use of the Harlingen Soccer Complex and authorize the City Manager to execute the
7 agreement. Motion carried unanimously.
8

- 9 o) Consideration and possible action to renew the Service Agreement with the University of Texas
10 Health Science Center at Houston to implement the "Tu Salud Si Cuenta" Program aimed to promote
11 healthy lifestyle changes for City residents and authorize the City Manager to sign the contract.

12 Mr. Mendez stated since 2013, the City of Harlingen has partnered with the University of Texas
13 Health Science Center at Houston, Texas to implement Tu Salud, Si Cuenta Program activities for
14 Harlingen residents. Based on the agreement with the University, the city requires a Community Health
15 Worker (Promotora) through grant funds to assist with implementing the wellness program. The program
16 includes classes, walking groups, activity breaks, nutrition education opportunities, media, health follow-
17 ups, and social support. The city must provide office space, including venues to host exercise classes
18 and Lifestyle Balance classes. The annual contract is \$60,000 and is funded through U.T. Health Science
19 Center in Houston.

20 Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to renew the
21 Service Agreement with the University of Texas Health Science Center at Houston, Texas to implement
22 the "Tu Salud Si Cuenta" Program, aimed to promote healthy lifestyle changes for City residents and
23 authorize the City Manager to sign the Contract. Motion carried unanimously.

- 24 p) Consideration and possible action to authorize the City Manager to negotiate a Consulting
25 Agreement with the highest-ranked Consulting Firm.

26 Commissioner Lopez recommended going with the firm that was ranked the highest, Graydon,
27 Strama, and Lucio.

28 Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to authorize
29 the City Manager to negotiate a Consulting Agreement with the highest ranked Consulting Firm. Motion
30 carried unanimously.

- 31 q) Presentation by Michael Kester, Chief of Police, regarding the purchase of mapping software to
32 minimize the time of road closures within the city and authorize the City Manager to purchase the
33 software.

34 Motion was made by Commissioner Lopez and seconded by Commissioner Morales to authorize
35 the City Manager to purchase the mapping software to minimize time of road closures within the city.
36 Motion carried unanimously.

37 11) Board Appointments:

38 Commissioner Lopez appointed Debbie Reyes to the Keep Harlingen Beautiful Board.

39 Mr. Gonzalez reminded the City Commission of the Charter Review Board vacancies if the plan
40 was to have the committee meet.

41 Commissioner Lopez stated the Keep Harlingen Board needs to start meeting again, as it has not
42 met since 2019. Mr. Nick Consiglio stated he would like to continue as chairman of the board and would
43 be present at any scheduled meeting.

44 Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Morales to approve
45 the appointment of Debbie Reyes to the Keep Harlingen Beautiful Board. Motion carried unanimously.

46 12) Executive Session:

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

- 1) Project Organic
- 2) Project Breeze
- 3) Project Rambo
- 4) Project Scale

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

At 7:07 p.m., Mayor Sepulveda announced the City Commission would convene in executive session to discuss Item 12 (a) and (b).

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to convene into executive session to discuss Item 12 (a) and (b). Motion carried unanimously.

At 7:42 p.m., Mayor Sepulveda announced the City Commission completed its executive session and declared the meeting open to the public.

13) Action on Executive Session Items:

Consideration and possible action regarding Items 12(a) (1, 2, 3, and 4) as discussed in executive session.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve the funding for Item 12a (1) Project Organic. Motion carried unanimously.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to amend the agreement for Item 12a (2) Project Breeze. Motion carried unanimously.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve the commercial recruitment program under Item 12a (3) Project Rambo. Motion carried unanimously.

Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to approve the startup pitch competition under Item 12a (4) Project Scale. Motion carried unanimously.

14) Consideration and possible action regarding Item #12 (b) as discussed in executive session.

Mayor Sepulveda announced no action will be taken on Item #12 (b).

15) Adjournment:

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

City of Harlingen

ATTEST:

Norma Sepulveda, Mayor

Amanda C. Elizondo, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(2)

Meeting Date: April 3, 2024

Agenda Item:

Consideration and possible action to approve a request for street closures, listed below, from the City of Harlingen Parks and Recreation Department for their Cinco de Mayo 5K / 1 Mile Fun Run on Friday, May 3, 2024 from 6:00 p.m. to 9:00 p.m. at Lon C. Hill Destination Park. Attachment (**Police**).

- Fair Park Boulevard in between North "J" Street and North "L" Street
- West Teege Street
- North "O" Street
- West Adam Street
- North "T" Street
- Turn around point by West Teege Street and Northbound Frontage

Prepared By (Print Name): Michael Kester

Title: Chief of Police

Signature:



Brief Summary:

Christina Mendiola, Recreation Supervisor with the City of Harlingen Parks and Recreation Department is requesting street closures, listed below, for their Cinco de Mayo 5K / 1 Mile Fun Run on Friday, May 3, 2024 from 6:00 p.m. to 9:00 p.m. at the Lon C. Hill Destination Park.

- Fair Park Boulevard In between North "J" Street and North "L" Street
- West Teege Street
- North "O" Street
- West Adam Street
- North "T" Street
- Turn around point by West Teege Street and Northbound Frontage

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

The Asst. Fire Chief has reviewed this request and provided his approval.

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: N/A

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

Staff Recommendation:

Staff recommends approval.

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

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

Comments:

City Attorney's approval: *NA* ☒ 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: 3/20/24

FROM: Sergio Ruiz #4110

RE: Harlingen Park and Recreation Department (03/20/2024)

Requestor: Christina Mendiola 956-216-5950

Event Date: Friday, May 03, 2024

Time: 6:00pm – 9:00pm

Location: 1217 Fair Park Blvd. (Lon C. Hill Park)

Street Closed: Fair Park Blvd in between N. J St and N L St, W. Teege, N. O St, W. Adams, N. T St., turn around point by W. Teege and NB Frontage.

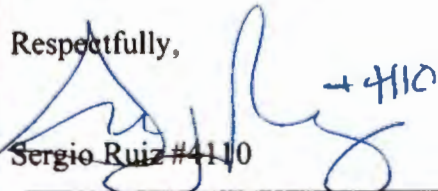
The Harlingen Parks and Recreation Department is having their **Cinco de Mayo Viva Streets Festival** that will include a **5K Run and a 1 Mile Fun Run**. The event will be on **Friday May 03, 2024**, from **6:00pm to 9:00pm at Lon C. Hill Park 1217 Fair Park Blvd.**

They are requesting for the closures of **Fair Park Blvd in between N. J St and N L St, W. Teege, N. O St, W. Adams, N. T St., turn around point by W. Teege and NB Frontage** for the safety of the public attending the event.

I recommend having Officers posted at every intersection along the route with barricades, due to event being held during evening hours. Just like the St. Patrick's Day Lager Jogger that was held at same place at same time.

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

Respectfully,


Sergio Ruiz #4110

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE	Sergio Ruiz	4110	03/20/2024
SERGEANT / SUPERVISOR		3297	3-20-24
COMMANDER / MANAGER			
DEPUTY CHIEF		2743	3/20/24
ASSISTANT CHIEF			
CHIEF OF POLICE		2088	3/20/24



Parks & Recreation Viva Streets 5k/1 Mile Fun Run

Date: Friday, May 3, 2024

Start/Finish: Lon C. Hill Destination Park

Key Intersections that require assistance from Harlingen P.D.

Intersections

1. West Teege Ave. and Fair Park Blvd.
2. Fair Park and Frontage Road, North Bound Lane
3. Turn around @ Frontage Rd/W. Teege, N. Bound Lane

Time

6:00pm-6:45pm
6:00pm-6:45pm
6:00pm-6:45pm

Contact: Christina Mendiola, Recreation Supervisor

Cell: (956) 245-1222 or (956) 216-5950





Viva Streets Road Closure Request

Christina Mendiola <cmendiola@harlingentx.gov>

Tue 3/19/2024 3:50 PM

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

Cc: Mike Kester - HPD <mkester@harlingentx.gov>; Javier Mendez <jmendez@harlingentx.gov>; Armando Villela <avillela@harlingentx.gov>; Benito Bravo - HPD <bbravo@harlingentx.gov>; Jose J. Lopez - HPD <jjlopez@harlingentx.gov>; Charles Fechner - HPD <cfechner@harlingentx.gov>; Manuel Tovar - HPD <mtovar@harlingentx.gov>

 2 attachments (6 MB)

Viva Streets Road Closure.docx; Viva Streets 5k 1Mile Run Route.png;

Good afternoon,

Attached is the road closure request for Viva Streets on Friday, May 3, 2024. If you have any questions, please feel free to contact me.

Harlingen Parks and Recreation

Recreation Supervisor

Christina Mendiola

Lon C. Hill Bldg. 502 E. Tyler

(956) 245-1222

(956) 216-5950

cmendiola@harlingentx.gov

"Be Curious, Not Judgmental" -Ted Lasso

RE: STREET CLOSURE REQUEST - VIVA STREETS / CINCO DE MAYO FESTIVAL

Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>

Thu 3/21/2024 10:05 AM

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

HFD has no issues with these closures.

Eduardo Alvarez
Assistant Fire Chief
EOC / Training Center
24200 N FM 509
Harlingen TX 78550
Office : 956.230.5051
Cell: 956-897-1131
ealvarez@harlingentx.gov



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

Sent: Thursday, March 21, 2024 9:25 AM

To: Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>

Subject: STREET CLOSURE REQUEST - VIVA STREETS / CINCO DE MAYO FESTIVAL

Good Morning Asst. Fire Chief Alvarez:

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

1. VIVA STREETS / CINCO DE MAYO FESTIVAL

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

Thank you!

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(b)

Meeting Date: **April 3, 2024**

Agenda Item:

Consideration and possible action to approve a street closure request from Logos Community Church from 9:00 a.m. - 12:00 p.m. on Monday, June 3, 2024, thru Friday, June 7, 2024 for their Vacation Bible School. Attachment (**Police**).

- Southside intersection of Jackson Avenue and "E" Street
- Alleyway in the 100 Block of South "E" Street
- Northside intersection of Van Buren Avenue and "E" Street

Prepared By (Print Name): Michael Kester

Title: Chief of Police

Signature:



Brief Summary:

Chris Elliot with the Logos Community Church is requesting the below street closures from 9:00 a.m. - 12:00 p.m. on Monday, June 3, 2024 thru Friday, June 7, 2024 for their Vacation Bible School:

- Southside intersection of Jackson Avenue and "E" Street
- Alleyway in the 100 Block of South "E" Street
- Northside intersection of Van Buren Avenue and "E" Street

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

The Asst. Fire Chief has reviewed this request and provided his approval.

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: 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:

66

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

May 10

☒

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: 3/13/24

FROM: District Representative Benito Bravo #3412

RE: Street Closure for Annual Vacation Bible School

Requestor: Chris Elliott / Logos Community Church Member

Event Date: June 03, 2024 to June 07, 2024

Location: Logos Community Church (602 W. Van Buren Ave., Harlingen, Texas)

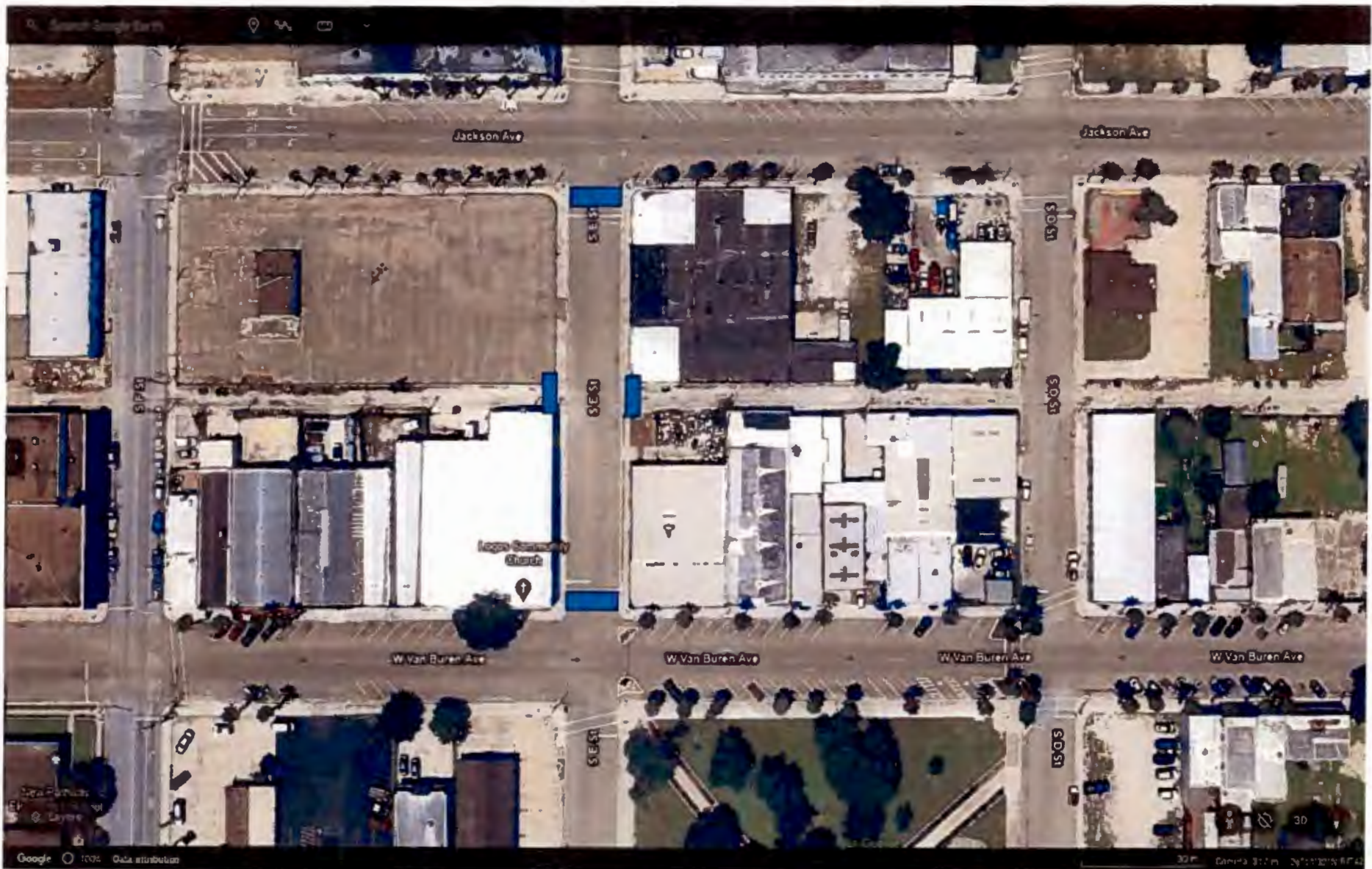
Mr. Elliott is requesting a street closure on behalf of Logos Community Church for their Annual Vacation Bible School. This event has been held, for several years, at the external grounds of the church property. Due to the magnitude of this annual event that attracts several hundred kids, they would like to request permission to close "E" Street, between Jackson Ave. and Van Buren Ave. This traditional event will begin on Monday, June 3rd 2024 and it will continue through Friday, June 7th, 2024. Each event day the Logos Community Church Members will install the barricades at 9 A.M. and then remove the barricades from the roadway at 12 P.M. The closing of the above mentioned street will ensure the safety of families and individuals that will attend this event.

If approved, barricades are to be delivered by the City of Harlingen Streets Department prior to 8:00 A.M. on Monday, June 03, 2024 and removed from the roadway on June 07, 2024 at 1:00 P.M. A copy of the map is attached to this IDC.

- Close the south side intersection of Jackson Avenue and E Street.
- Close the alleyway in the 100 block of South E Street.
- Close the north side intersection of Van Buren Ave. and E Street.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE	<i>Benito Bravo</i>	3412	03/13/2024
SERGEANT / SUPERVISOR			
COMMANDER / MANAGER	<i>Chel</i>	3019	3-13-24
DEPUTY CHIEF	<i>Out - Sick</i>		
ASSISTANT CHIEF			
CHIEF OF POLICE	<i>Mark Miller</i>	2088	3-13-24

LOGOS COMMUNITY CHURCH STREET CLOSURE



 Barricade

Here you go.

Begin forwarded message:

From: Chris Elliott <chris@logoscommunitychurch.org>
Subject: Streets Blocked Off for Vacation Bible School & Police for Security
Date: February 14, 2024 at 8:16:30 AM CST
To: rcruz@harlingenpolice.com, "Alvear, Alfredo" <aalvear@harlingenpolice.com>

Good morning, Deputy Chief Alfredo Alvear and Sgt Rebeca Cruz!

Our church is having Vacation Bible School (VBS) from June 3-7. The hours for this event will be from 9am to 12pm each day that week. We are expecting several hundred kids to this event. Some of the activities we are planning for VBS requires us to take the kids outside of our building to a large parking lot directly behind our building. Unfortunately, there is enough traffic that travels along the side street of our building that we are concerned for the safety of the kids.

I have two requests. First, would it be possible to block off the side street during the time of our VBS? Our church is located at 602 W Van Buren. We would respectfully ask that both intersections of E Street between W Van Buren and Jackson Street be blocked off with barricades during the time of our VBS.

Second, can you direct me to the correct individual so that I can request and hire off-duty police officers for this event? This has been so helpful in the past. We would like to do the same thing we've done the last few years in having a uniformed officer with police car out in front of our church for security.

Please advise.

Thanks so much!

Chris Elliott
Logos Community Church

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

7(c)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 2, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final 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

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

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:

7/6

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

Nen Sen

☒ Yes ☐ No ☐ N/A

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 2nd day of April, 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.

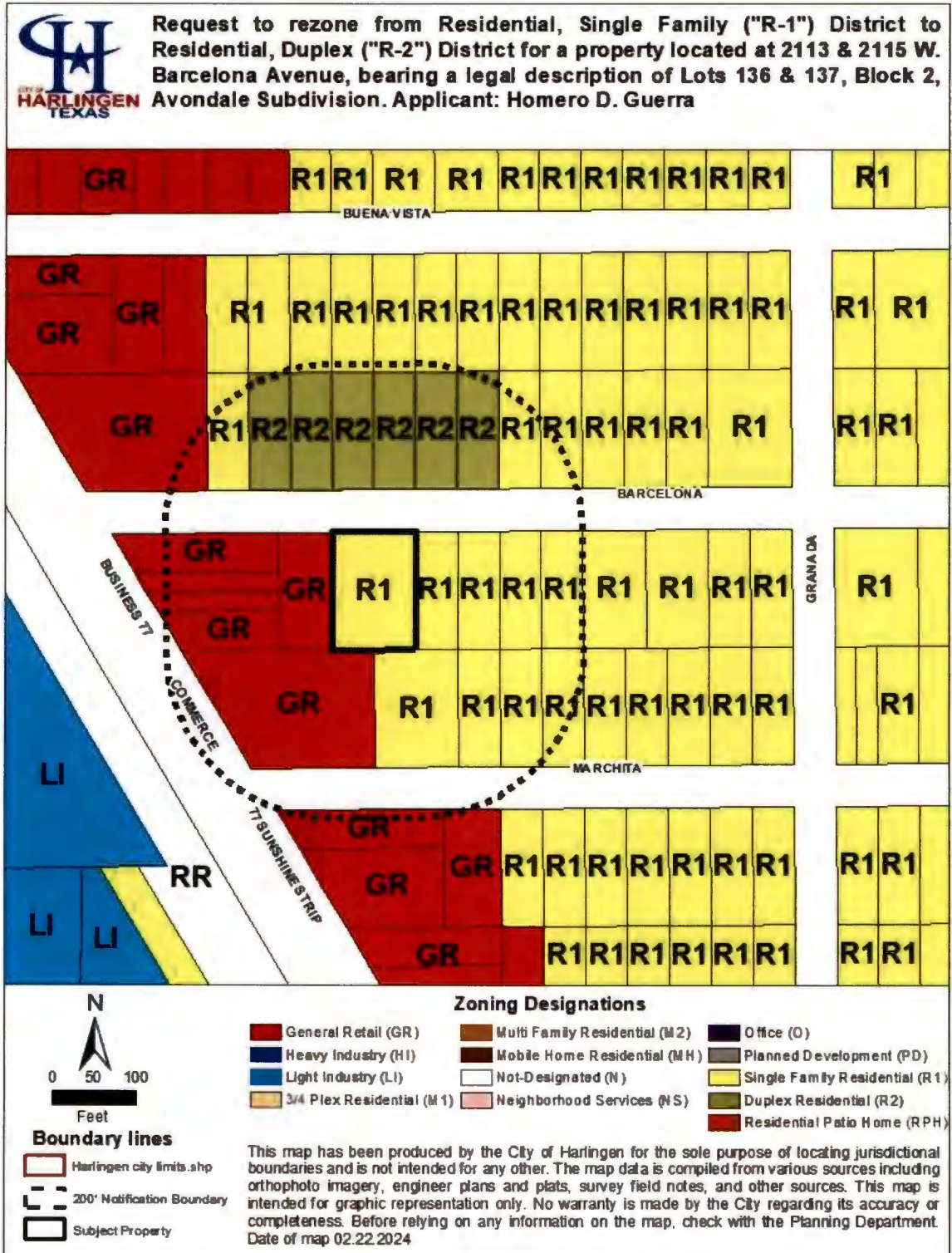
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

EXHIBIT "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

7(d)

Meeting Date: **April 2, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final 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

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

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: *Mar A* ☒ Yes ☐ No ☐ N/A

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 2nd day of April, 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.

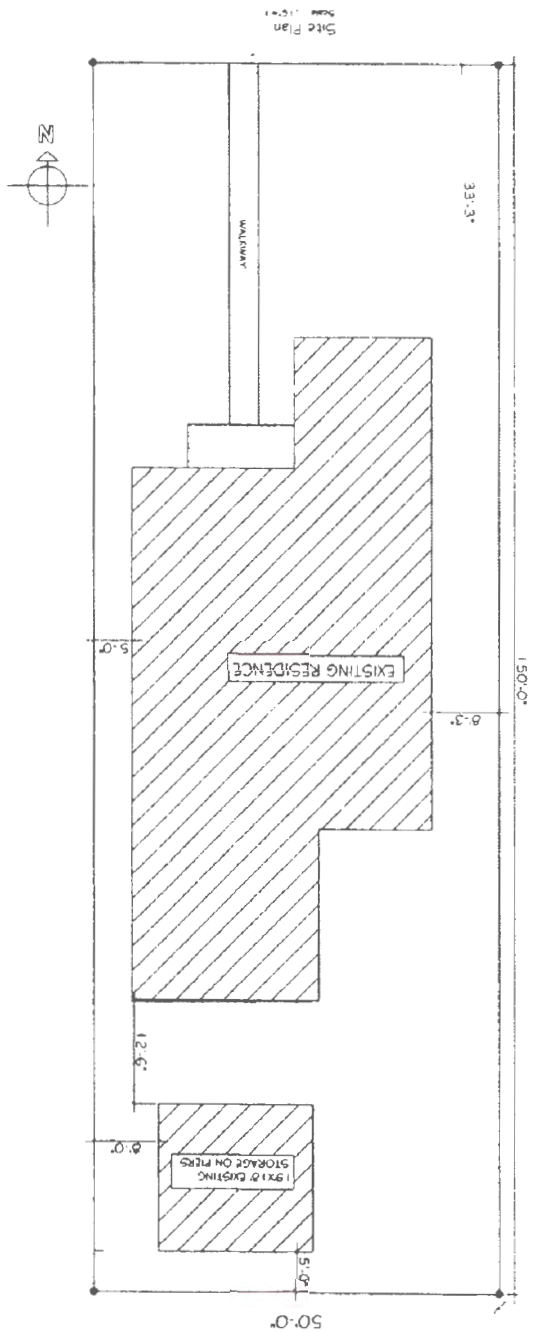
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



EXECUTIVE SUMMARY

Meeting Date: April 2, 2024

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final 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

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

Signature: *Xavier Cervantes*

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: *666* ☒ Yes ☐ No ☐ N/A

Comments:

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

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 2nd day of April, 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

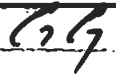
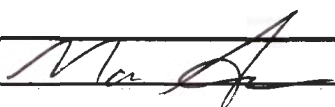
ATTEST:

Amanda C. Elizondo, City Secretary

7(f)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 2, 2024**

Agenda Item:
Consideration and possible action to approve an ordinance on second and final 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. <i>(Public Works)</i>
Prepared By: Christopher D. Torres, Director 
Brief Summary:
Ordinance Chapter 38-69 references fees for commercial trash containers for <u>ONLY</u> 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. 2024-69

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 20th 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

**AGENDA ITEM
EXECUTIVE SUMMARY**

7/9)

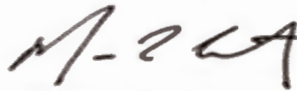
Meeting Date: **Tuesday, April 2, 2024**

Agenda Item:

Consider and take action to approve, by resolution, the acceptance of Valley International Airport's mid-year budget amendment for FY 2023 - 2024

Prepared By: **Marv Esterly**
Title: **Director of Aviation**

Signature:



Brief Summary:

The proposed mid-year budget update for Fiscal Year 2023 – 2024 for the Valley International Airport shows operating revenues anticipated to be greater than the adopted budget by Five Hundred, Sixty-Six Thousand, Seventy-Eight Dollars and no/100 (\$566,078). This increase will change the budgeted operating revenue to Eight Million, Nine Hundred Fifty-Five Thousand, Four Hundred Twenty-Two Dollars, and no/100 (\$8,955,422). The total operating expenses increased by Fifty-Seven Thousand, Five Hundred Sixty-Six Dollars, and no/100 (\$57,566). This increases the budgeted operating expense to Eight Million, Nine Hundred Nineteen Thousand, Two Hundred Three Dollars and no/100 (\$8,919,203). The net income before depreciation is anticipated to be more than the adopted budget by Five Hundred Eight Thousand, Five Hundred Thirteen Dollars, and no/100 (\$508,513). This increase will change the budgeted net gain to Thirty-Six Thousand, Two Hundred Nineteen Dollars, and no/100 \$36,219. The total capital expense/capital improvement budget is anticipated to be greater than the adopted budget by One Million, Four Hundred Forty Thousand Dollars, and no/100 (\$1,440,000). This increase will change the capital expense/capital improvement budget to Six Million, Four Hundred Seven Thousand Dollars, and no/100 (\$6,407,000).

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:

The staff recommends acceptance of the Valley International Airport's mid-year budget amendment for FY 2023 – 2024.

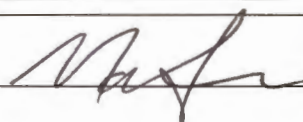
City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

RESOLUTION NO. _____

STATE OF TEXAS δ

COUNTY OF CAMERON δ

WHEREAS, the Harlingen Airport Board has submitted its mid-year budget for Valley International Airport for the Fiscal Year 2023 – 2024; and

WHEREAS, the Elective Commission of the City of Harlingen, Texas, has reviewed the mid-year budget for Fiscal Year 2023 – 2024 submitted by the Harlingen Airport Board; and

WHEREAS, the mid-year budget for Fiscal Year 2023 – 2024 for the Valley International Airport was approved by the Harlingen Airport Board during its regular meeting of March 19, 2024; and

WHEREAS, the proposed mid-year budget update for Fiscal Year 2023 – 2024 for the Valley International Airport shows operating revenues anticipated to be greater than the adopted budget by Five Hundred, Sixty-Six Thousand, Seventy-Eight Dollars and no/100 (\$566,078). This increase will change the budgeted operating revenue to Eight Million, Nine Hundred Fifty-Five Thousand, Four Hundred Twenty-Two Dollars, and no/100 (\$8,955,422); and

WHEREAS, the total operating expenses increased by Fifty-Seven Thousand, Five Hundred Sixty-Six Dollars, and no/100 (\$57,566). This increases the budgeted operating expense to Eight Million, Nine Hundred Nineteen Thousand, Two Hundred Three Dollars and no/100 (\$8,919,203); and

WHEREAS, the net income before depreciation is anticipated to be more than the adopted budget by Five Hundred Eight Thousand, Five Hundred Thirteen Dollars, and no/100 (\$508,513). This increase will change the budgeted net gain to Thirty-Six Thousand, Two Hundred Nineteen Dollars, and no/100 \$36,219; and

WHEREAS, the total capital expense/capital improvement budget is anticipated to be greater than the adopted budget by One Million, Four Hundred Forty Thousand Dollars, and no/100 (\$1,440,000). This increase will change the capital expense/capital improvement budget to Six Million, Four Hundred Seven Thousand Dollars, and no/100 (\$6,407,000); and

BE IT RESOLVED BY THE CITY OF HARLINGEN:

That the mid-year budget for Fiscal Year 2023 – 2024 for the Valley International Airport as recited herein above is hereby adopted.

CONSIDERED AND ADOPTED this 2nd day of April 2024, at a regular meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.

CITY OF HARLINGEN

BY:

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

2024 Mid-Year

City Commission Meeting
April 2, 2024



**PROPOSED STATEMENTS OF REVENUE, EXPENSE
FOR FISCAL YEAR ENDING SEPTEMBER 30, 2024**

REVENUE	YTD Actual Jan 2024	2024 Budget	2024 Mid-Year	Favorable (Unfavorable)	%	Comments
Terminal Building	\$1,411,669	\$3,911,077	\$4,056,058	\$ 144,980	3.7%	Enplanements are up +10% contributing \$113K in concessionaire revenue. Additional advertising revenue is contributing \$32K.
Airfield	\$ 316,528	\$ 823,200	\$ 894,699	\$ 71,499	8.7%	Airline landing fees are favorable due to the addition of Delta and Sun Country flights.
Industrial Park	\$ 470,215	\$1,255,812	\$1,252,258	\$ (3,554)	-0.3%	Approximating plan
Terminal Support	\$ 948,248	\$2,399,254	\$2,752,406	\$ 353,153	14.7%	Parking revenue increased \$248K mainly due to an RFQ for potential bidders. Republic Parking (incumbent) won the bid and increased percent of Gross by 12%. GHS contributed \$113K due to additional flights serviced.
TOTAL	\$3,146,660	\$8,389,343	\$8,955,422	\$ 566,078	6.7%	



**PROPOSED STATEMENTS OF REVENUE, EXPENSE
FOR FISCAL YEAR ENDING SEPTEMBER 30, 2024**

EXPENSE	YTD Actual Jan 2024	2024 Budget	2024 Mid-Year	Favorable (Unfavorable)	%	Comments
Personnel Services	\$1,344,874	\$4,081,156	\$4,128,486	\$ (47,330)	-1.2%	Increased Delta and Sun Country Flights required additional GH personnel.
Contracted Services	\$1,073,150	\$2,985,759	\$3,192,060	\$ (206,301)	-6.9%	Professional Fees \$100K (Land appraisals & lease ULA, Unison), Utilities \$35K, Maintenance \$25K and Information Systems \$25K.
Material & Supplies	\$ 215,091	\$ 817,528	\$ 817,528	\$ 0	0.0%	Approximate Budget
Other Charges	\$ 247,995	\$ 977,194	\$ 781,129	\$ 196,065	20.1%	Insurance expense is favorable by \$248K due to the non renewal of wind and hail coverage. Marketing expenses increased by \$40K to support initiatives.
TOTAL	\$2,881,109	\$8,861,637	\$8,919,203	\$ (57,566)	-0.6%	



**PROPOSED STATEMENTS OF REVENUE, EXPENSE
FOR FISCAL YEAR ENDING SEPTEMBER 30, 2024**

NET INCOME	YTD Actual Jan 2024	2024 Budget	2024 Mid-Year	Favorable (Unfavorable)	%	Comments
REVENUE	\$3,146,660	\$8,389,343	\$8,955,422	\$ 566,078	6.7%	Additional parking revenue, concessionaire revenue and landing fees.
EXPENSE	\$2,881,109	\$8,861,637	\$8,919,203	\$ (57,566)	-0.6%	Additonal contracted services offset by reduced insurance expense.
INCOME (LOSS)	\$ 265,551	\$ (472,294)	\$ 36,219	\$ 508,513	107.7%	

2021 Net Income (Loss) (\$3.6M)

2022 Net Income (Loss) (\$1.3M)

2023 Net Income (Loss) (\$0.4M)



CAPITAL BUDGET 2024
FISCAL YEAR END SEPTEMBER 30, 2024

Projects	BUDGET	INCREASE/ (DECREASE) to BUDGET	MID YEAR
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Capital Purchases

¹ Security Equipment (TSA required)	\$ 45,000	\$ (45,000)	\$ -
² Computers, Cameras - Police/Dispatch	20,000	-	20,000
³ Lights (2) - Runway X	40,000	6,000	46,000
⁴ Pick-up Truck (1)	35,000	(35,000)	-
⁵ Dump Trailer	15,000	-	15,000
⁶ Air Field Tractor	120,000	-	120,000
⁷ Crash Trailer	12,000	-	12,000
⁸ Rapid Response Vehicle	80,000	-	80,000
⁹ Arcade/Sidewalk lighting	-	22,000	22,000
¹⁰ Restroom Renovations	-	250,000	250,000
¹¹ Terminal Seat Rehabilitation	-	15,000	15,000
¹² Dispatch Access Control Visual Displays	-	25,000	25,000
¹³ SMS Implementation and Title VI Plan	-	90,000	90,000
¹⁴ Runway 31 Approach Light Control Cabinet	-	92,000	92,000
¹⁵ Misc Other	-	20,000	20,000
Total Capital Expenses	\$ 367,000	\$ 440,000	\$ 807,000

Capital Improvements

² SW Ramp rehabilitation - Construction	\$ 4,600,000	1,000,000	\$ 5,600,000
³	\$ -	-	-
Total Capital Improvements	\$ 4,600,000	\$ 1,000,000	\$ 5,600,000
Total Capital Expenses and Capital Improvements	\$ 4,967,000	\$ 1,440,000	\$ 6,407,000

SOURCE OF FUNDS			
FAA	PFC	LOCAL	Other

\$ -	\$ -	\$ -	\$ -
-	-	20,000	-
-	-	46,000	-
-	-	-	-
-	-	15,000	-
-	-	120,000	-
-	-	12,000	-
-	-	80,000	-
-	-	22,000	-
-	-	250,000	-
-	-	15,000	-
-	-	25,000	-
-	-	90,000	-
-	-	92,000	-
-	-	20,000	-
\$ -	\$ -	\$ 807,000	\$ -

\$ 3,100,000	\$ -	\$ -	\$ 2,500,000
-	-	-	-
\$ 3,100,000	\$ -	\$ -	\$ 2,500,000
\$ 3,100,000	\$ -	\$ 807,000	\$ 2,500,000



**VALLEY INTERNATIONAL AIRPORT
PROPOSED CASH FLOW - Budget
FOR FISCAL YEARS 2024 - 2026**

Beginning Cash & Investments Balance:

Uses of Cash

Personnel Services
Contracted Services
Material & Supplies
Other Charges
Capital Purchases
Capital Improvements

Balance Sheet Items

AR, AP, Prepaid
Asset Disposal

Total Uses of Cash

Sources of Cash

Terminal Building
Airfield
Industrial Park
Terminal Support
Interest Income
PFC Collections
FAA Grant Money
Other Funding

Balance Sheet Items

Deferred Revenue ULA

Total Sources of Cash

Ending Cash & Investments Balance:

YTD Actual Jan 2024	Proposed FY 2024	Proposed FY 2025	Proposed FY 2026
\$ 8,876,322	8,876,322	8,629,217	4,435,593
1,344,874	4,128,486	4,334,910	4,551,656
1,073,150	3,192,060	3,351,663	3,519,246
215,091	817,528	858,404	901,324
247,995	781,129	820,185	861,195
186,050	807,000	200,000	200,000
3,368,953	14,078,837	31,386,914	-
3,354,921	5,630,538	-	-
-	-	-	-
\$ 9,791,034	29,435,578	40,952,077	10,033,421
1,411,669	4,056,058	4,056,058	4,056,058
316,528	894,699	894,699	894,699
470,215	1,252,258	1,252,258	1,252,258
948,248	2,752,406	2,856,406	2,856,406
172,098	332,098	75,000	75,000
607,732	1,921,057	1,915,808	1,915,808
6,709,594	17,979,896	23,208,223	-
-	-	2,500,000	-
-	-	-	-
\$ 10,636,084	29,188,473	36,758,453	11,050,230
\$ 9,721,372	8,629,217	4,435,593	5,452,402



**AGENDA ITEM
EXECUTIVE SUMMARY**

7(h)

Meeting Date: **Tuesday, April 2, 2024**

Agenda Item:

Consider and take action to recommend that the Harlingen City Commission approve, by resolution, the acceptance of the Federal Aviation Administration (FAA) anticipated Grant offer No. 3-48-0101-076-2024, in the amount of Two Million Dollars and no/100s (\$2,000,000.00) for the Air Traffic Control Tower project at Valley International 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. 3-48-0101-076-2024, in the amount of Two Million Dollars and no/100s (\$2,000,000.00) for the Air Traffic Control Tower project at Valley International Airport.

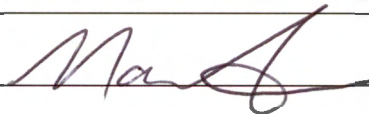
City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

RESOLUTION NO. NO. _____

STATE OF TEXAS δ

COUNTY OF CAMERON δ

WHEREAS, the United States Department of Transportation, Federal Aviation Administration is expected to submit an anticipated grant offer; Grant No. 3-48-0101-076-2024; and

WHEREAS, the intended purpose of the anticipated Grant No. 3-48-0101-076-2024 is for the Air Traffic Control Tower project at Valley International Airport in the amount of Two Million Dollars and no/100s (\$2,000,000.00); and

WHEREAS, the anticipated Grant No. 3-48-0101-076-2024 for the Valley International Airport was approved by the Harlingen Airport Board during its special meeting of March 27, 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. 3-48-0101-076-2024 in the amount of Two Million Dollars and no/100s (\$2,000,000.00), 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. 3-48-0101-076-2024 for the Air Traffic Control Tower project at Valley International Airport in the amount of Two Million Dollars and no/100s (\$2,000,000.00);

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 2nd day of April 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

71)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 2, 2024**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Fiscal Year 2023 Staffing for Adequate Fire and Emergency Response Grant Program (SAFER). Attachment (*Special Projects*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Department of Homeland Security and the Federal Emergency Management Agency have issued a notice of funding opportunity for the FY 2023 Staffing for Adequate Fire and Emergency Response Grant Program (SAFER). The SAFER Program provides funding directly to fire departments across the United States to assist them increase the number of firefighters to help communities meet industry standards and attain 24-hour staffing to provide fire protection from fire and fire-related hazards. Funding is authorized under Section 34 of the Federal Fire Prevention and Control Act of 1974, Pub. L. No. 93-498, as amended (15 U.S.C 2229)

The city will apply to the SAFER Program under the "Hiring of Firefighters (Hiring) Activity." The city intends to request funding to hire up to 12 new, additional firefighters. This grant does not require a cost-share or match. The performance period is 36 months, which would begin 180 days after the award date.

Funding selections are anticipated by no later than July 31, 2024.

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:

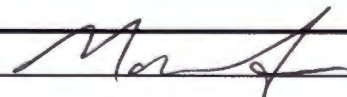
Staff supports the approval of this resolution.

City Manager approval:



Comments:

City Attorney's approval:



RESOLUTION NO. 2024 - _____

A RESOLUTION AUTHORIZING THE CITY OF HARLINGEN FIRE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE FISCAL YEAR 2023 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT PROGRAM.

WHEREAS, the Fiscal Year 2023 Staffing for Adequate Fire and Emergency Response Grant Program's (SAFER) purpose is to enhance the safety of the public and firefighters by providing grants to fire departments to increase personnel to attain 24-hour staffing to provide fire protection from fire and fire-related hazards; and,

WHEREAS, the City Commission finds it in the best interest of the residents of Harlingen, Texas, to seek funding for the hiring of up to 12 firefighters to enhance the Harlingen Fire Department's protection capabilities; and,

WHEREAS, the City Commission agrees to provide a 36-month period of performance (POP) report; to provide a pre-SAFER roster of personnel; to not lay off any firefighting operational personnel during the POP and agree to all terms and conditions as stated in the Notice of Funding Opportunity for SAFER; and,

WHEREAS, the City Commission designates the Harlingen City Manager, Mr. Gabriel Gonzalez, or designee to submit a SAFER application on behalf of the Harlingen Fire Department.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission approves the submission of this grant application.

Passed and approved this 2nd day of April 2024.

Norma Sepulveda, Mayor

Amanda C. Elizondo, City Secretary

7(j)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 2, 2024**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the City Manager to submit an abridged application to the Texas Water Development Board FY 2024-2025 Flood Infrastructure Fund Grant Program. Attachment (*Special Projects Department*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The City of Harlingen intends to submit one or more grant applications to the FY 2024-2025 Flood Infrastructure Fund (FIF) administered by the Texas Water Development Board (TWDB). The FIF program assists eligible applicants with financing drainage, flood mitigation, and flood control projects, including planning and design activities; work to obtain necessary regulatory approvals; and construction or implementation of flood projects.

Funding for flood projects operates on a biennial funding cycle with a two-stage application process. Projects are prioritized based on information submitted in the abridged application and the relative scoring of the associated project, strategy, or evaluation based on data from the regional flood plans (RFPs) and working criteria and methodologies anticipated to be used in the State Flood Plan ranking. Only eligible projects included in an amended regional flood plan approved by the TWDB are eligible for financial assistance.

The city has several planning and construction projects included in the Region 15 plan and the 2024-2025 Flood Intended Use Plan. The city plans to submit one or more grant applications for the projects listed in Exhibit A of the resolution. The FIF grant covers up to 50% of the total project costs. The remaining funds may be covered with local funds or a zero-percent loan through the TWDB.

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):

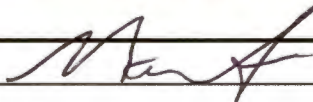
Staff Recommendation:

City Manager approval:



Comments:

City Attorney's approval:



City of Harlingen Flood Mitigation Projects (FMP) Included in the 2024-2025 Flood Intended Use Plan

FMP ID	Region	FMP Name	FMP Description	FMP Type	Rank (with ArcSinh normalization of select criteria)	Preliminary Project Cost*	Estimated Maximum Grant % (at 50%*)	0% Loan or Local Match
153000061	15	13th Street Regional Detention Facility	This project proposes two detention facilities, one which is approximately 46 acres located on an open field north of Briggs Coleman Rd. The second pond is located directly south of the first pond and is approximately 13	Infrastructure, Detention	559	\$ 19,812,000	\$ 9,906,000.0	\$ 9,906,000.00
153000062	15	3rd Street Regional Detention Facility	This project proposes a Regional Detention Facility of 38 acres located east of North Breedlove Rd and north of	Infrastructure, Detention	342	\$ 13,092,000	\$ 6,546,000.0	\$ 6,546,000.00
153000069	15	System 23 Regional Detention Facility	The proposed project includes a 5 acres regional detention facility in the Harlingen Heights area.	Infrastructure, Detention	316	\$ 1,600,000	\$ 800,000.0	\$ 800,000.00
153000064	15	Wilson-Morgan Regional Detention Facility	A 22 acres regional detention pond is proposed.	Infrastructure, Detention	408	\$ 8,600,000	\$ 4,300,000.0	\$ 4,300,000.00
153000065	15	Jefferson Regional Detention Facility	This project proposes a Regional Detention Facility of 33 acres located east of the intersection of N Ed Carey Dr and E Grimes Rd on an open field.	Infrastructure, Detention	376	\$ 13,092,000	\$ 6,546,000.0	\$ 6,546,000.00
153000066	15	West Street 10x10 Box Culvert	This project proposes a 7,500ft long 10 x10 underground system stretching from the west street and outfalls at	Infrastructure	318	\$ 19,201,000	\$ 9,600,500.0	\$ 9,600,500.00
153000067	15	Joint Use Irrigation Canal No. 1	A total of 4100 feet of open channel with a bottom width of 20 ft, side slope of 2:1 and a depth of 10 ft is proposed along the existing irrigation canal alignment to outfall to Arroyo Colorado.	Infrastructure	358	\$ 13,790,000	\$ 6,895,000.0	\$ 6,895,000.00
						\$ 89,187,000	\$ 44,593,500	\$ 44,593,500

*All costs are preliminary figures and are expected to go up since they are last year's numbers.

**Estimation based on entire city's population. However, the % is subject to change based on the % of the state AMHI

City of Harlingen Flood Mitigation Projects

The City of Harlingen (City) and adjacent communities, located in the Lower Rio Grande Valley (LRGV) area of South Texas, have been always at risk of flooding. The City is susceptible to frequently flooding, having a history of flooding stormwater runoff from intense localized storm events, which are characterized with high intensity and short duration. The CCDD5 North Main Drain, as one of the major outfall system, has limited capacity to convey flood water to the east and eventually to Arroyo Colorado. Additionally, the flooding is exacerbated by diversion of Rio Grande River flows through the IBWC North Floodway and Arroyo Colorado. The city/TWDB is conducting the COH HUC 10 FIF flood mitigation planning study to develop a watershed-based flood protection plan with various flood mitigation strategies and improvement projects to mitigate/ reduce current and future flooding within the City and surrounding cities.

The City experienced wide spread flooding as evidenced in **Figure 1** for the 100-year storm event. To mitigate flooding within the city, various preliminary alternative mitigation measures were identified and modeled. **Figure 2** shows the 100-year inundation delineations along with the **8 alternative improvement projects**.

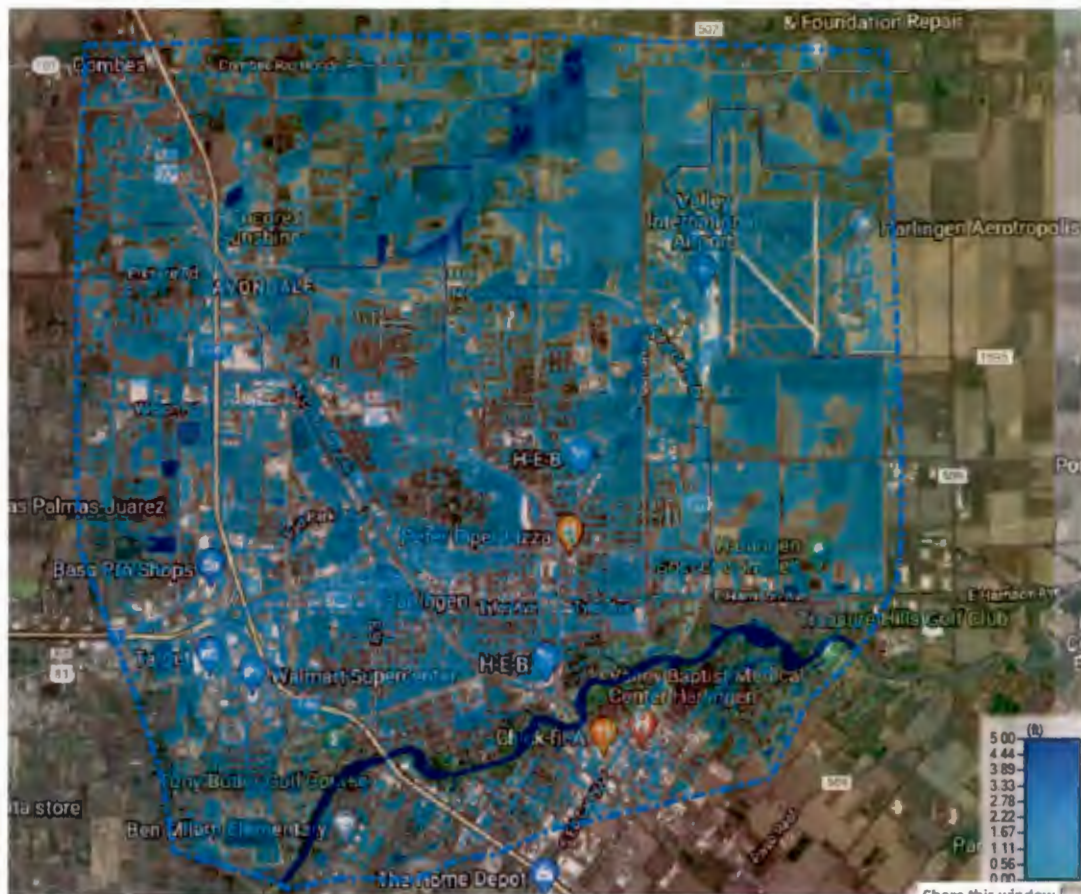


Figure 1. Existing Conditions 100-Year Inundation Depth (NOAA Atlas 14)

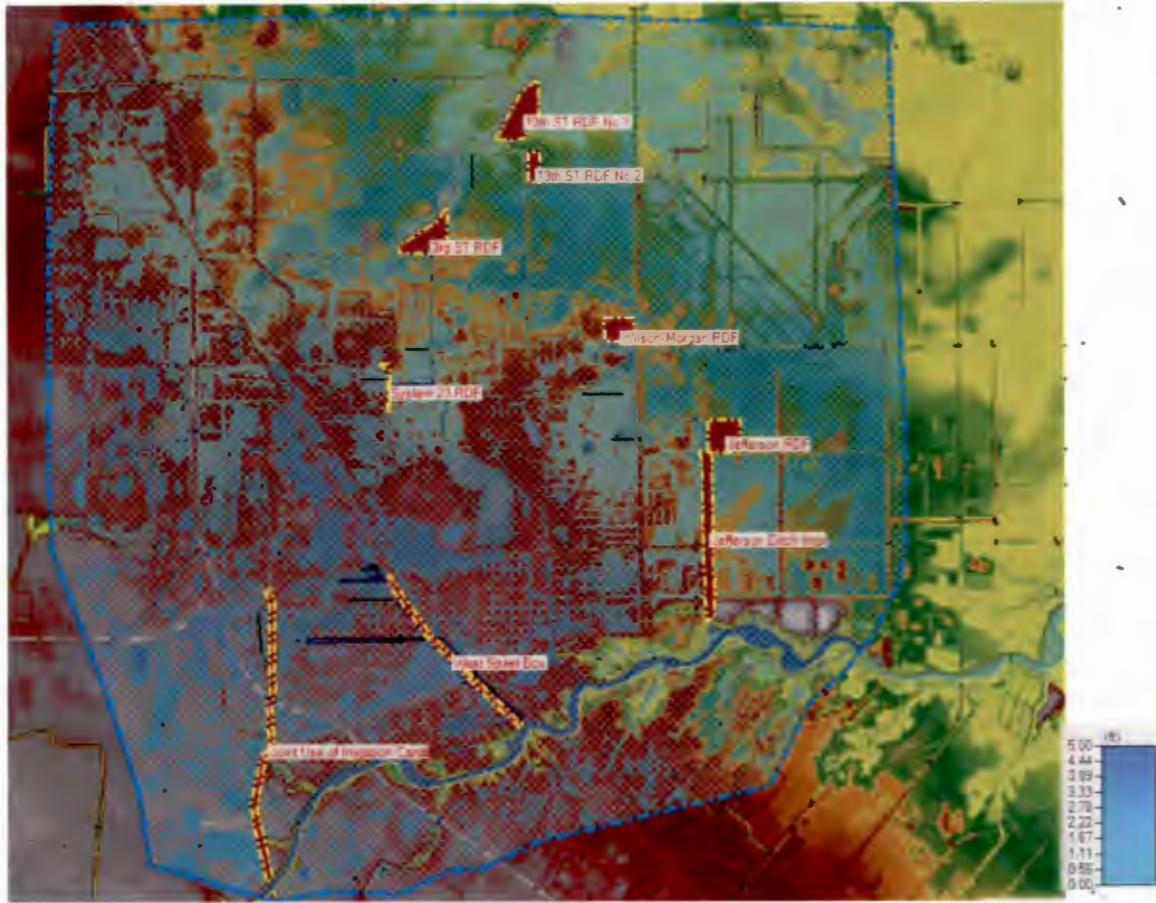


Figure 2. Proposed Conditions 100-Year Inundation Depth (NOAA Atlas 14)

13th Street Regional Detention (RDF) Mitigation Alternative

A total of 58 acres of RDFs is proposed as shown in **Figure 3-1**. The total construction cost is estimated as \$22.7 million. **Figure 3-2** shows the comparison of 100-year inundation depth at Robin Estates.



Figure 3.1 Location of 13th Street RDF

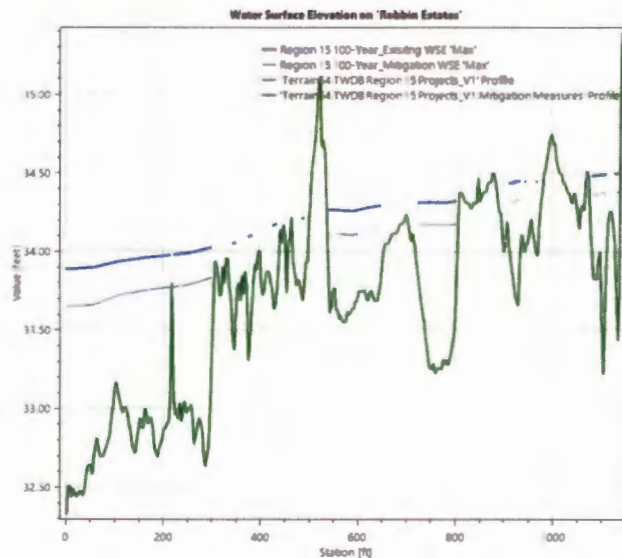


Figure 3.2 100-Year Inundation Depth Comparison at Robin Estates

3rd Street Regional Detention (RDF) Mitigation Alternative

A total of 38 acres of RDF is proposed as shown in **Figure 4-1**. The total construction cost is estimated as \$15.0 million. **Figure 4-2** shows the comparison of 100-year inundation depth at Tropical Acres.



Figure 4.1 Location of 3rd Street RDF

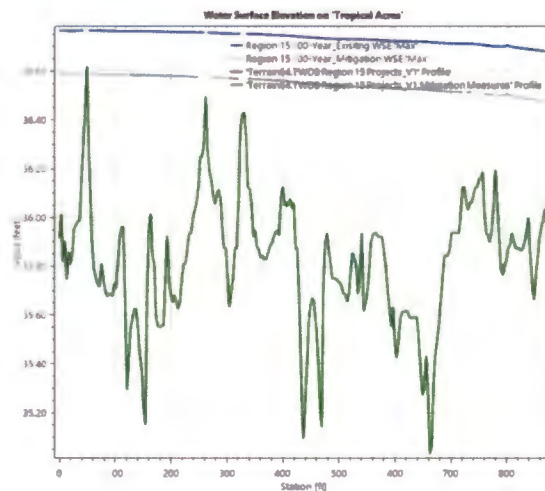


Figure 4.2 100-Year Inundation Depth Comparison at Tropical Acres

System 023 Regional Detention (RDF) Mitigation Alternative

A total of 5 acres of RDF is proposed as shown in Figure 5-1. The total construction cost is estimated as \$1.8 million. Figure 5-2 shows the comparison of 100-year inundation depth at Harlingen Heights.

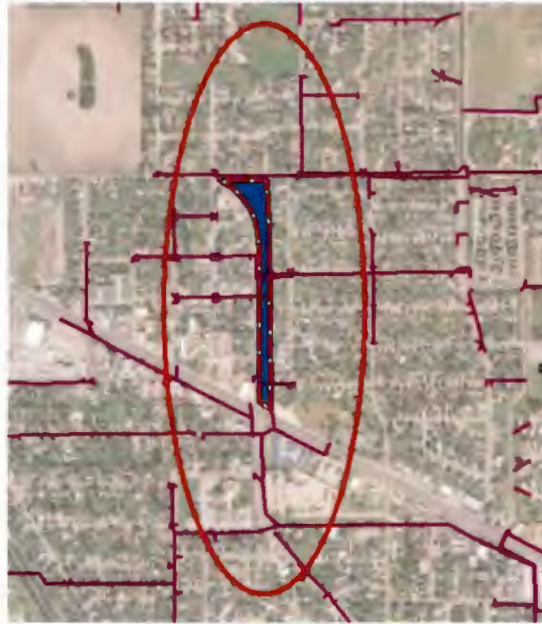


Figure 5.1 Location System 023 RDF

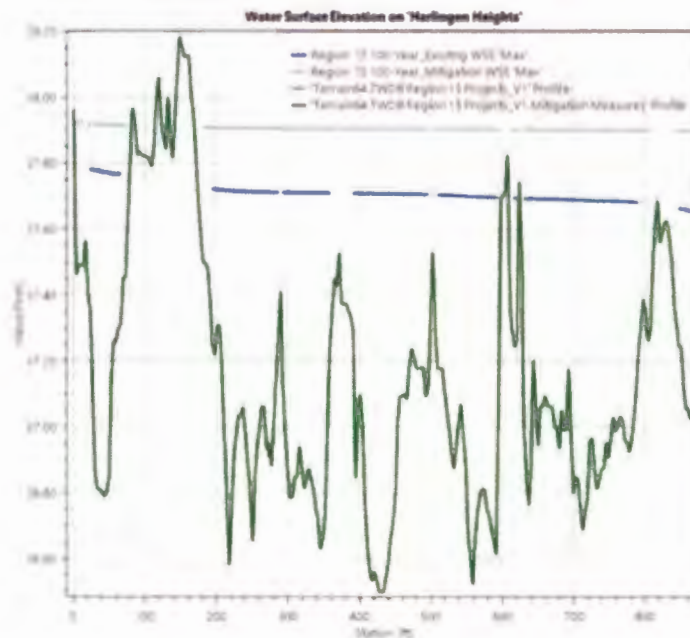


Figure 5-2. 100-Year Inundation Depth Comparison at Harlingen Heights

Wilson-Morgan Regional Detention (RDF) Mitigation Alternative

A total of 22 acres of RDF is proposed as shown in **Figure 6-1**. The total construction cost is estimated as \$8.6 million. **Figure 6-2** shows the comparison of 100-year inundation depth at Harlingen-Lyla Heights.



Figure 6.1 Location of Wilson-Morgan RDF

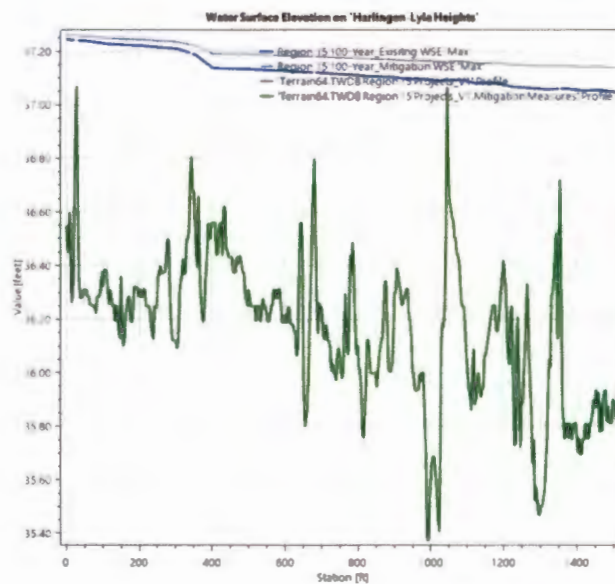


Figure 6-2. 100-Year Inundation Depth Comparison at Harlingen-Lyla Heights

Jefferson Regional Detention (RDF) Mitigation Alternative

A total of 33 acres of RDF is proposed as shown in **Figure 7-1**. The total construction cost is estimated as \$15 million. **Figure 7-2** shows the comparison of 100-year inundation depth at Harlingen Harlingdale Heights.



Figure 7.1 Location of Jefferson RDF

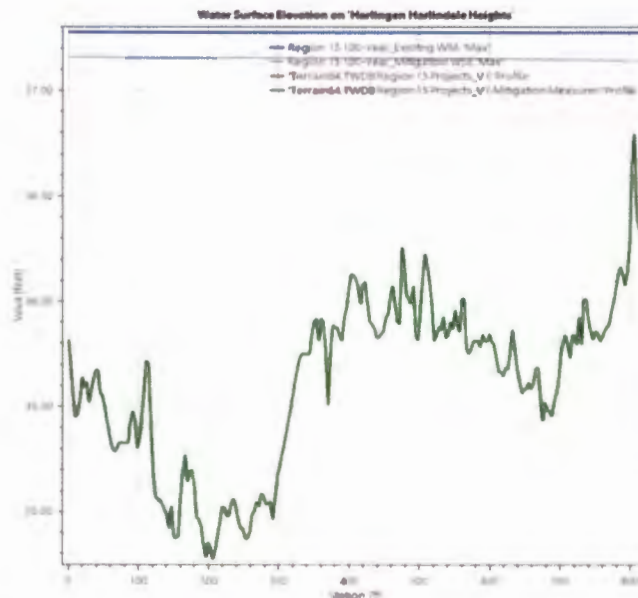


Figure 7-2. 100-Year Inundation Depth Comparison at Harlingen Harlingdale Heights

West Street 10x10 Box Mitigation Alternative

A total of 7500 feet of 10x10 underground system is proposed along the West Street to outfall to Arroyo Colorado as shown in **Figure 8-1**. The total construction cost is estimated as \$22 million. **Figure 8-2** shows the comparison of 100-year inundation depth at Harlingen Harlingdale Heights.



Figure 8.1 Location of West Street 10x10 Box

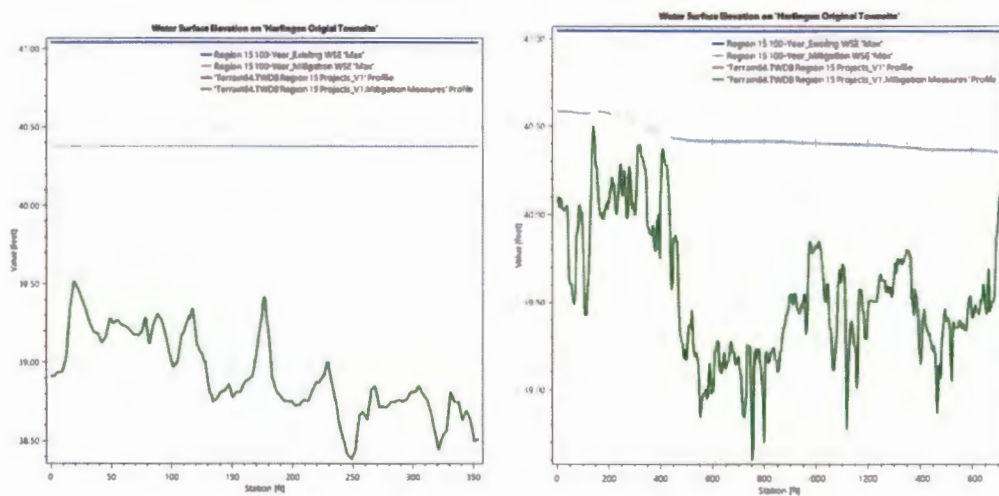


Figure 8-2. 100-Year Inundation Depth Comparison at Harlingen Original Townsite

Joint Use of Irrigation Canal No.1 ROW

A total of 4100 feet of open channel with a bottom width of 20 ft, side slope of 2:1 and a depth of 10 ft is proposed along the existing irrigation canal alignment to outfall to Arroyo Colorado as shown in **Figure 9-1**. The total construction cost is estimated as \$15.8 million. **Figure 9-2** shows the comparison of 100-year inundation depth at Harlingen Central Parkway.



Figure 9.1 Location of Joint Use of Irrigation Canal ROW

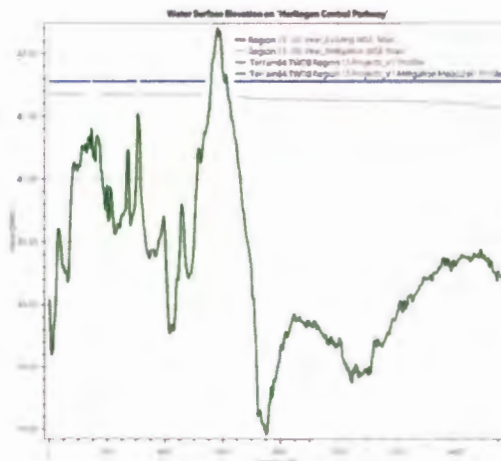
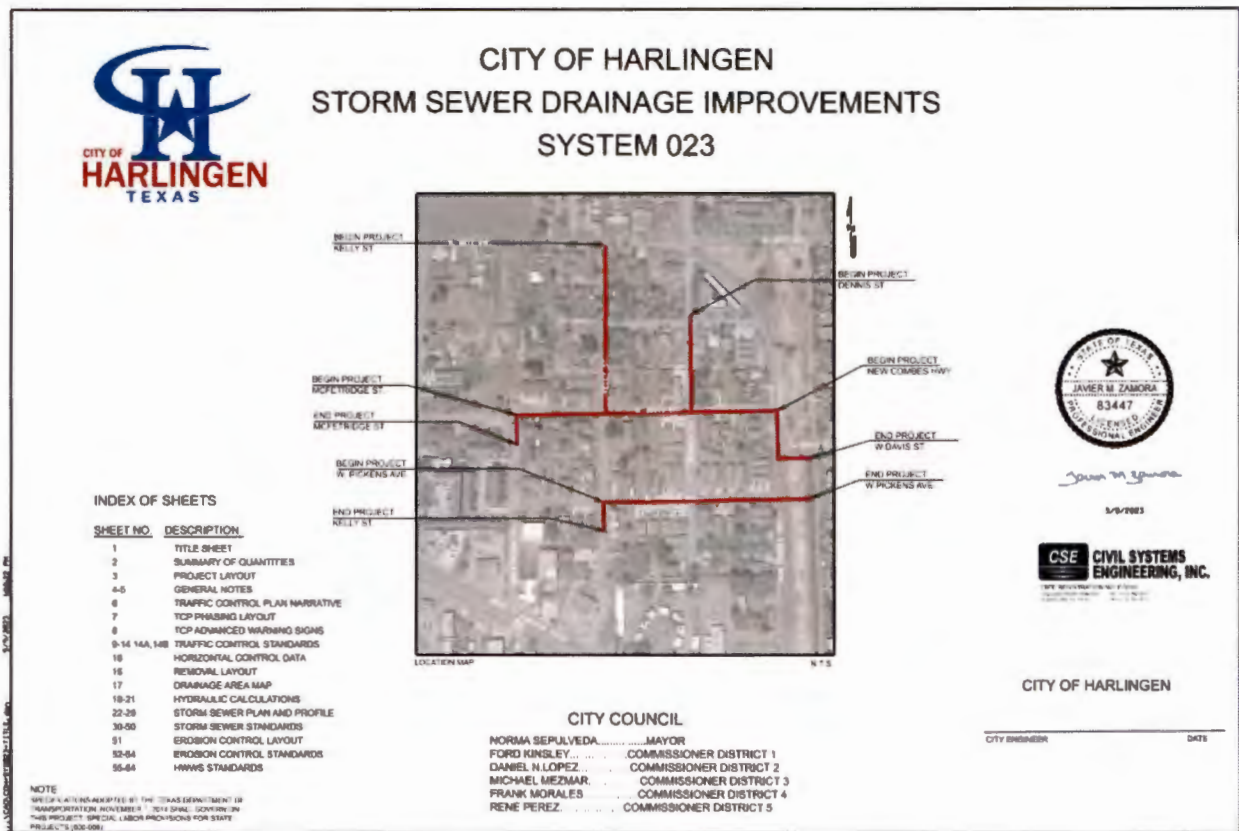


Figure 9-2. 100-Year Inundation Depth Comparison at Harlingen Central Parkway

System 23 Storm Sewer System Drainage Improvement

A total of 3700 ft of storm sewer improvement is proposed as shown in **Figure 10-1**. The total construction cost is estimated as \$1.6 million.



**AGENDA ITEM
EXECUTIVE SUMMARY**

9(a)

Meeting Date: **April 2, 2024**

Agenda Item:

Conduct a public hearing and consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) request to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at the Stripes Convenience Store located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc.

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- **March 6, 2024** – Application for Special Use Permit (SUP) submitted to the City. **(ATTACHMENT I)**
- **March 16, 2024** – In accordance with State 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 16, 2024** – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- **March 27, 2024**– Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- **April 2, 2024** – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- **April 17, 2024** – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per Section 111-62 the City of Harlingen's Code of Ordinances, the sale of alcoholic beverages for on-site consumption in a General Retail ("GR") District requires the approval of a Special Use Permit (SUP) by the City Commission.
- 7-Eleven Inc., the applicant, is requesting a Special Use Permit to allow the sale of alcohol for on-site consumption in an existing Stripes Convenience Store located at 1610 S. F Street. The Stripes Convenience Store is approximately 4,842 square feet. **(ATTACHMENT II, III)**
- Based on the site plan and information submitted, the applicant is proposing to operate every day from 5:00am to 8:00pm under the business name of "Laredo Taco Company". The intended use is for the sale of alcoholic beverages for on-site consumption. Thirteen (13) parking spaces are required and provided in the parking lot. There are a total of fifty-eight (58) parking spaces available for customers.
- Surrounding properties are zoned General Retail ("GR") District to the north, and east and Not-Designated ("N") District to the south and west. Surrounding land uses consist of Ecotech Heating & Cooling and a commercial plaza to the north, residences and the RV Mobile Home Center to the east, and Tony Butler Golf Course to the west and south. **(ATTACHMENT IV, V)**

- The Building Inspections Department, Fire Prevention Bureau, Harlingen Police Department, and Health Department have reviewed the application and recommended approval of the Special Use Permit. **(ATTACHMENT VI-VIII)**
- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- To present, the Planning and Development Department has received one call of concern regarding the Special Use Permit request from a family member of a surrounding property owner. The citizen is concerned there will be an increase in criminal activity, dangerous driving will increase, and there will be more work for the Harlingen Police Department.

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

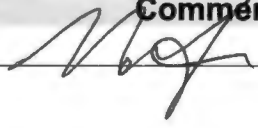
Staff Recommendation:

Staff recommends approval of the special use permit subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits;
2. Must maintain the required parking in accordance with city regulations;
3. Must provide video surveillance with a minimum 30 day retention; and,
4. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 5:00 am to 8:00 pm, everyday.

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

Comments:

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(b)

Meeting Date: **April 2, 2024**

Agenda Item:

Conduct a public hearing and consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) request to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision. Applicant: Daisy Nieto

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- March 4, 2024 – Application for Special Use Permit (SUP) submitted to the City. **(ATTACHMENT I)**
- March 16, 2024 – In accordance with State 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 16, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 27, 2024 – Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- April 2, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- April 17, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per Section 111-62 the City of Harlingen's Code of Ordinances, an adult business (microblading studio) in a General Retail ("GR") District requires the approval of a Special Use Permit (SUP) by the City Commission.
- Daisy Nieto, the applicant, is requesting a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District in an existing 200 square foot suite located in a commercial plaza at 2222 S. Expressway 83. **(ATTACHMENT II, III)**
- Based on the site plan and information submitted, the applicant is proposing to operate Tuesday – Saturday from 10am – 8 pm, under the name of Brows by Daisy. The intended use is for a microblading studio. Two (2) parking spaces are required and thirty-two (32) parking spaces are provided in the common parking area for the plaza. **(ATTACHMENT II, III)**
- Surrounding properties are zoned General Retail ("GR") District to the north, east, south, and west. The surrounding land uses consist of the Move It Storage to the east and south, a vacant lot to the northwest and a Valero gas

station/convenience store to the north. **(ATTACHMENT IV, V)**

- The Building Inspections Department, Fire Prevention Bureau, Harlingen Police Department, and Health Department have reviewed the application and recommended approval of the Special Use Permit. **(ATTACHMENT VI-IX)**
- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- To present, the Planning and Development Department has not received any calls regarding the Special Use Permit (SUP) request. Staff mailed out fourteen (14) legal notices to surrounding property owners.

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

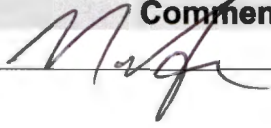
Staff Recommendation:

Staff recommends approval of the special use permit subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits;
2. Must maintain the required parking in accordance with city regulations;
3. Must comply with the requirements administered by the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
4. Hours of operation for the business shall be Tuesday through Saturday from 10:00 am to 5:00 pm.

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

Comments:

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(c)

Meeting Date: **April 2, 2024**

Agenda Item:

Conduct a public hearing and 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 102 N. 27th Street, bearing a legal description of Lot 8, Block C, Hunter Subdivision No. 1. Applicant; Mark Hallett

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- February 28, 2024 – Application for rezoning submitted to the City (**ATTACHMENT I**).
- March 16, 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 16, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- March 27, 2024 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- April 2, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- April 17, 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 property from Residential, Single Family, ("R-1") District to Residential, Duplex ("R-2") District to allow for a duplex at the site. (**ATTACHMENT I**).
- The subject property, located at the northeast corner of North 27th Street and East Jackson Street, measures 75 feet by 120 feet. There is currently a single-family residence on the property, (**ATTACHMENT III**). If the rezoning is approved, the applicant has plans to demolish the existing house to build a new duplex structure.
- The surrounding properties are zoned Residential, Single-Family ("R-1") to the north, south, and west and Residential, Multi-Family ("M-2") to the east. Surrounding land uses include single family residences to the north, south, and west, and the Eastgate Mobile Home Park to the east. (**ATTACHMENT IV**)
- The Future Land Use Plan component of the City of Harlingen's Vision 2020 Comprehensive Plan shows this area as low density residential. A duplex use is

considered low density residential, and therefore, the request is consistent with the Future Land Use Plan. (ATTACHMENT VI).

- To the present, the Planning and Zoning Department has received no phone calls in opposition from the surrounding property owners regarding the proposed request. Staff mailed out 13 notices to surrounding property owners.

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:

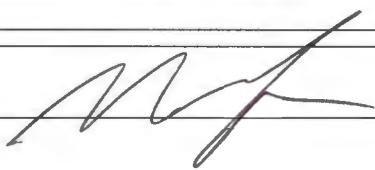
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(d)

Meeting Date:

April 2, 2024

Agenda Item

Public Hearing for a rezoning request from Residential, Single-Family ("R-1") District to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of right-of-way, one cul-de-sac to serve 28 lots, and smaller lot sizes for Lots 1, 15-19, 21-33, and 36-48, for a proposed 80-lot single-family development on a property bearing a legal description of 15.76 acres tract of land, being all of Block 4, and a part or portion of Blocks 3, 5, and Block 17, Stuart Place Subdivision, located along the west side of South Palm Boulevard, approximately 480 feet south of Business Highway 83. Applicant: Javier Hinojosa c/o Jason E. Garza. 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 rezoning was submitted to the City. (**ATTACHMENT I**)
- March 9, 2024 – In accordance with State and local law, notice of the required public hearings was mailed to all property owners within a 200 ft. radius of subject tract.
- March 16, 2024 – In accordance with State and local law, notice of the required public hearings was published in the Valley Morning Star.
- March 27, 2024 – Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z)
- April 2, 2024 – Public hearing and consideration of the requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 17, 2024 – Pending approval of 1st ordinance reading, consideration and approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Residential, Single-family ("R-1") District to Planned Development ("PD") District to allow 32 ft. wide streets with 50 ft. of Right-of-Way, one cul-de-sac to serve 28 lots, and smaller lot sizes for an 80-lot single-family development. (**ATTACHMENT II.**)
- Pursuant to Sect. 109-124 (c)(8) of the Code of Ordinances Chapter 109 – Subdivisions, temporary or permanent cul-de-sac streets shall not serve more than 26 lots and shall in no case exceed 1,300 feet in length. The applicant is pursuing a Planned Development ("PD") District rezoning to allow for one cul-de-sac in a subdivision with over 28 lots. (**ATTACHMENT III.**)

- Pursuant to Sec. 109-124 (b)(3) of the Code of Ordinances Chapter 109 – Subdivisions, lot sizes, setback lines, rear yards, and side yards shall be in accordance with the zoning ordinance chapter 111 of the city ordinance. Residential, Single-family (“R-1”) zoning designation requires a minimum 6,000 sq. ft. minimum lot area. Lots 1, 15-19, 21-33, and 36-48 have a lot size of below 6,000 sq. ft. **(ATTACHMENT III.)**
- Pursuant to Sect. 109-124 (c)(11)(d) of the Code of Ordinances Chapter 109 – Subdivisions, Local streets shall have a right-of-way of 60 feet and a pavement width of a minimum of 37 feet from the back of curb to the back of curb, unless the land use density dictates the need for 40 feet of pavement width as determined by the planning and zoning commission. Local streets which are looped off perimeter local streets, collectors or arterials, and cul-de-sacs not exceeding the maximum length of 600 feet may be 32 feet in pavement width from the back of the curb to the back of the curb with a minimum right-of-way of 50 feet. **(ATTACHMENT III.)**
- The subject property is currently vacant. The subject property has 633 feet of frontage along South Palm Boulevard and a depth of 1526.05 feet. South Palm Boulevard is classified as a Major Collector Road with a two-lane, 28 ft-wide paved city street with no curb and gutter. **(ATTACHMENT IV, V)**
- The surrounding properties are zoned Residential, Single-Family (“R-1”) and General Retail (“GR”) to the north, Residential, Single-Family (“R-1”) to the east, Residential, Single-Family (“R-1”) to the south, and Residential, Single-Family (“R-1”) and Residential, Mobile Home (“MH”) to the west of the subject property. Surrounding land uses include a church to the north, a medical office to the northeast, vacant land to the east, Moises Vela Middle School to the south, and the Park Place Estates RV Resort to the west of the subject property. **(ATTACHMENT V)**
- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision One Harlingen shows this area as Institutional. Although the request is not consistent with the Future Land Use Plan, it is consistent with the Single-family zoning and land uses to the northeast and west of the subject property. Staff believes that this area is in transition to single-family residential use. **(ATTACHMENT VI)**
- The City of Harlingen Fire Prevention Bureau and Engineering Departments had reviewed the proposed rezoning. The Fire Prevention Bureau and Engineering Departments recommended approval. **(ATTACHMENT VII)**
- Park fees must be paid for the subdivision. Park fees are \$450 per dwelling unit. A total of \$36,000 will have to be paid in park fees prior to subdivision recording. The fees will go to Park Zone 1 (the southwest zone). **(ATTACHMENT VIII)**

- Staff mailed out 9 notification letters to the surrounding property owners within a 200-foot radius. To the present, the Planning and Development Department has not received any phone calls from the surrounding property owners.

Funding (if applicable):

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

*If no, specify course of funding and amount requested: ☐ YES ☐ NO ☐ N/A

Finance Director's approval:

Staff Recommendation:

Staff recommends approval of the rezoning request.

City Manager's approval:

GH



YES



NO



N/A

Comments

City Attorney's approval:

[Signature]



YES



NO



N/A

9(e)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 2, 2024**

Agenda Item:

Public Hearing and First Reading of an ordinance to adopt water and sewer rate adjustments necessary to provide for forecasted operating expenses, capital asset costs, and funding of Harlingen Waterworks System's Five-Year Capital Improvement Plan.

Prepared By (Print Name): Timothy E. Skoglund, P.E.

Title: General Manager

Signature:

Timothy E. Skoglund

Brief Summary:

The recent rate study analyzed and forecasted the costs of operating and improving Harlingen's water and wastewater infrastructure. Five joint meetings between the Waterworks' Utility Board of Trustees and the City Commission have been held to discuss rate plan design and the capital improvements needed to ensure reliable water and sewer service for customers of the Waterworks. In a meeting on March 27, 2024, the Utility Board of Trustees adopted, subject to the City Commission's approval, the On-Time/Inverted Block/Higher Base rate plan without discounts for residential customer subclasses, as presented at the February 26, 2024, joint meeting. An ordinance adopted by the City Commission is needed for implementation of the new rates and establishing an effective date.

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 adoption of the ordinance to fund the operation of the System, provide for vital infrastructure improvements, and establish an effective date of May 1, 2024.

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

Comments:

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

Water and Sewer Rate Plan – without HHA Discount

Adopted by the Utility Board of Trustees
on March 27, 2024

			Proposed Rates				
Current Rates			Effective May-24	Effective Jan-25	Effective Jan-26	Effective Jan-27	Effective Jan-28
Water Rates – Residential & Comm Inside City Limits							
<u>Monthly Minimum Charge</u>	<u>Meter Size</u>						
	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	461.68	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
<u>Residential Volume Rate per 1,000 Gal</u>							
0	to 3,000	1.65	1.25	1.25	1.25	1.25	1.25
3,001	to 10,000	0.06	1.75	1.93	2.12	2.33	2.54
10,001	to 20,000	-	2.50	2.75	3.03	3.33	3.63
20,001	to Above	-	3.00	3.30	3.63	3.99	4.35
<u>Commercial Volume Rate per 1,000 Gal *</u>							
Volume Charge		1.65	1.83	2.01	2.22	2.44	2.66
Fuel Cost Adjustment		0.06	-	-	-	-	-
Sewer Rates – Residential & Comm Inside City Limits							
<u>Monthly Minimum Charge</u>	<u>Meter Size</u>						
	5/8"	6.18	7.73	9.66	12.07	15.09	18.86
	1"	9.44	11.80	14.75	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	686.45	858.07	1,072.58	1,340.73
<u>Volume Rate Per 1,000 Gal</u>							
Volume Charge		3.66	4.06	4.47	4.92	5.41	5.89
Fuel Cost Adjustment		0.11	-	-	-	-	-

NOTE: Outside city rates are 150% of inside city rates

* Includes Master Metered Multi-Family Connections

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(2)

Meeting Date: **April 2, 2024**

Agenda Item:

Conduct a public hearing and consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) request to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at the Stripes Convenience Store located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc.

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- March 6, 2024 – Application for Special Use Permit (SUP) submitted to the City. **(ATTACHMENT I)**
- March 16, 2024 – In accordance with State 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 16, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 27, 2024 – Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- April 2, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- April 17, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per Section 111-62 the City of Harlingen's Code of Ordinances, the sale of alcoholic beverages for on-site consumption in a General Retail ("GR") District requires the approval of a Special Use Permit (SUP) by the City Commission.
- 7-Eleven Inc., the applicant, is requesting a Special Use Permit to allow the sale of alcohol for on-site consumption in an existing Stripes Convenience Store located at 1610 S. F Street. The Stripes Convenience Store is approximately 4,842 square feet. **(ATTACHMENT II, III)**
- Based on the site plan and information submitted, the applicant is proposing to operate every day from 5:00am to 8:00pm under the business name of "Laredo Taco Company". The intended use is for the sale of alcoholic beverages for on-site consumption. Thirteen (13) parking spaces are required and provided in the parking lot. There are a total of fifty-eight (58) parking spaces available for customers.
- Surrounding properties are zoned General Retail ("GR") District to the north, and east and Not-Designated ("N") District to the south and west. Surrounding land uses consist of Ecotech Heating & Cooling and a commercial plaza to the north, residences and the RV Mobile Home Center to the east, and Tony Butler Golf Course to the west and south. **(ATTACHMENT IV, V)**

- The Building Inspections Department, Fire Prevention Bureau, Harlingen Police Department, and Health Department have reviewed the application and recommended approval of the Special Use Permit. **(ATTACHMENT VI-VIII)**
- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- To present, the Planning and Development Department has received one call of concern regarding the Special Use Permit request from a family member of a surrounding property owner. The citizen is concerned there will be an increase in criminal activity, dangerous driving will increase, and there will be more work for the Harlingen Police Department.

Funding (if applicable):

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

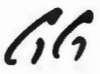
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval of the special use permit subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits;
2. Must maintain the required parking in accordance with city regulations;
3. Must provide video surveillance with a minimum 30 day retention; and,
4. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 5:00 am to 8:00 pm, everyday.

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 1610 S. F St. Nearest Intersection F St and 69E
 (Proposed) Subdivision Name Harlingen/William Lot 1 Block 1
 Existing Zoning Designation Retail Future Land Use Plan Designation On Premise Alcohol Sales

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Tim Ilaoa Phone 972-890-2560 FAX N/A
 Email Address (for project correspondence only): tim@texaslicensing.net
 Mailing Address 217 E. Main St. #819 City Royse City State TX Zip 75189
 Property Owner 7-Eleven Inc. Phone 972-828-6265 FAX N/A
 Email Address (for project correspondence only): shantelle.grier-green@7-11.com
 Mailing Address P.O. Box 139044 City Dallas State TX Zip 75313

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: Changing the alcohol type from off-premise alcohol sales to on-premise

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: 3-6-24

Property Owner(s) Signature: [Signature] Date: 3-6-24

Accepted by: _____ Date: _____

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

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

Complete

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

- ☒ Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
- ☒ Locations of proposed uses, and
- ☒ Ingress and egress to/from property;
- ☒ Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
- ☒ Existing/proposed sidewalks; and
- ☒ Existing/proposed utilities; and
- ☒ Existing/proposed drainage; and
- ☒ Existing/proposed parking spaces.

A written statement describing the proposed use(s) of the subject property.

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

- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - ☒ A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - ☒ Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a PDD or SUP request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
- I understand that the purpose of a PDD or SUP is to allow for development not otherwise authorized in the Zoning Ordinance. Hence, the Planning and Zoning Commission and/or City Commission may impose development standards important to the health, safety, welfare, and protection of the proposed development and the adjacent property and its occupants.

Owner: 7-Eleven Inc. Date: 3-6-24

Owner Address: 3200 Hackberry Rd. Irving, TX. 75063

Phone/Fax: 972-825-1265

Signature: [Signature]

To Whom It May Concern,

Our Team at 7-11 is currently expanding our Laredo Taco Margarita concept throughout South Texas. During this expansion, we have selected one store in the City of Harlingen. To comply with Texas ABC requirements, we have applied for an on-premises BG permit. We will legally be allowed to serve for on-premises consumption, but we have found that most of our consumers purchase this with the intention of consumption at home.

The "Margarita" is a wine-based product distributed by L&F Distributors and manufactured by MPACT Beverages out of Houston. This is a Texas made product. This wine based ready-to-drink product has a 10.5% ABV for Strawberry and a 9.5% ABV for Classic. This product has already rolled out in several communities quite successfully.

Employees will complete Texas ABC training that includes age verification & safe serving recommendations. As a responsible retailer, we have also set up age verifications prompts at our point of sales to require age verification for every purchase.

Store Selected:

Stripes Store #42250H

1610 S. F Street

Harlingen, TX. 78550

Thanks,

Adrian Poulisse

Senior Store Innovation Analyst

Cypress Waters | 3200 Hackberry Road | Irving, Texas | 75063

W 972.828.1820 | C 615.306.8615 | Adrian.Poulisse@7-11.com

7-ELEVEN 



Street View from US Frontage 83



Street View from S. F Street

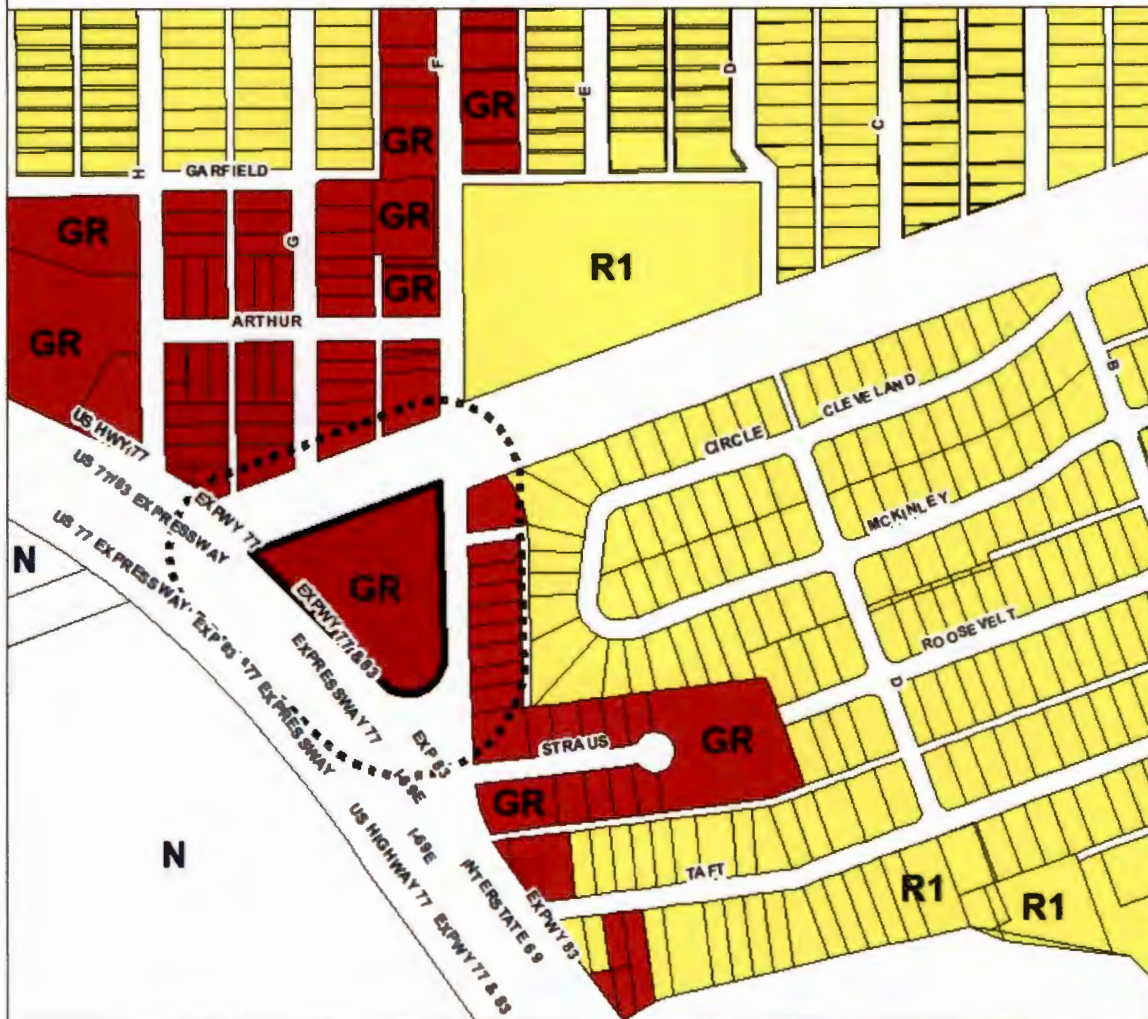


ATTACHMENT II





Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail ("GR") District located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc.



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) |

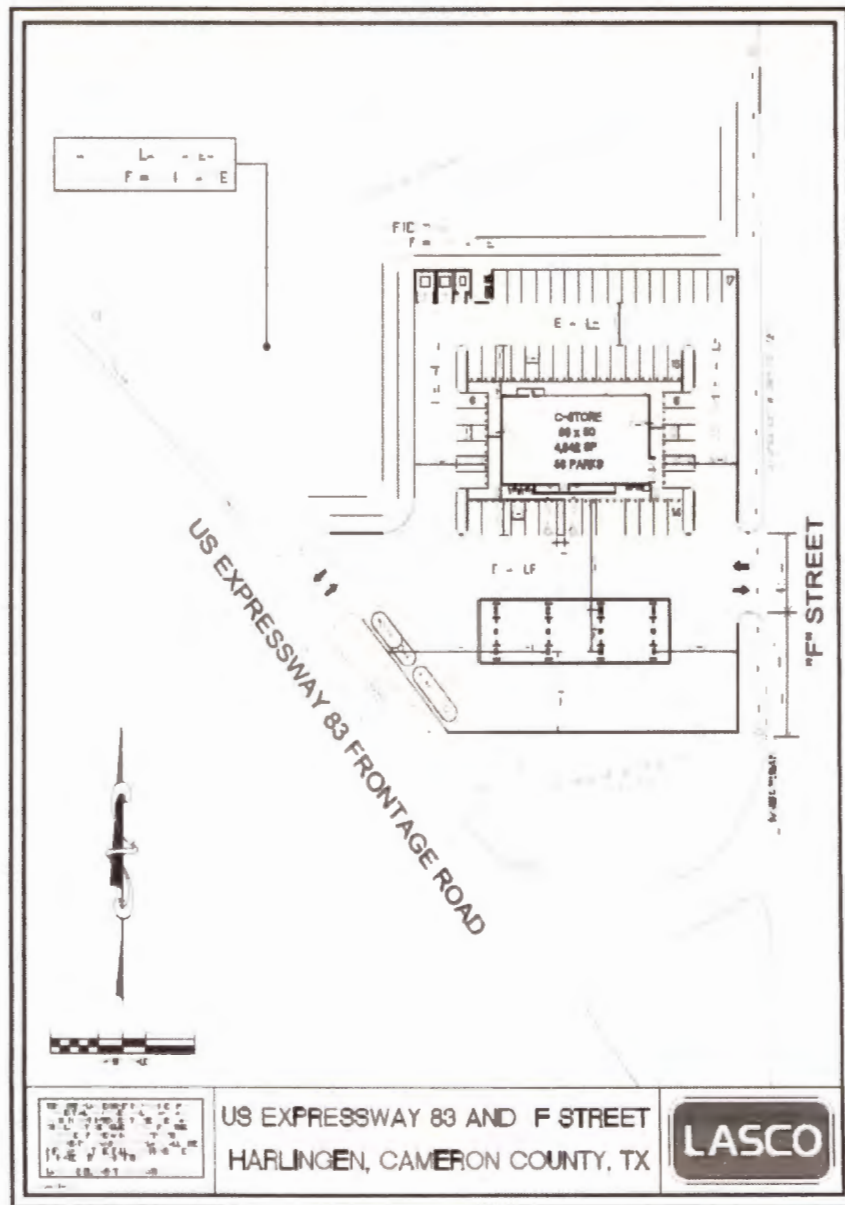
This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended 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 03.07.2024

ATTACHMENT V

Aerial View



ATTACHMENT VI – Site Plan



This architectural floor plan depicts the first floor of the 'Palace of the Soviets' in Moscow. The plan shows a large central hall with a stage at the top, surrounded by seating areas. To the left of the hall are several smaller rooms, including a library and a museum. To the right is a large auditorium with tiered seating. The plan also shows various service areas, including a kitchen, a restaurant, and a bar. The overall layout is symmetrical, with a central corridor running through the middle of the building.

ROLLER WALLS	2 889
SANDWICH CASE	7 COLD = 2 HOT
WALVT DOORS	11
BEER CAVE DOORS	4
LOW TEMP DOORS	3
ICE MACH. DOORS	3
NOVELTY CASE	1 (BUDCAP)
BAKERY CASE	1 G.O.
BLURTEE BARRELS	8
GORGOLA UNITS (80" H)	
ERO CAPS (80" H)	24
POWER VEHICLES	4
24" V ENDCAPS (80" H)	1
LOW WALLS (80" H)	1
HIGH WALLS (77" H)	1

GAS YES LIQUOR NO
BEER YES WINE YES

OCCUPANCY LOAD (H-40) = 47
TRAVEL DISTANCE (H-300) = 116
COMMON PATH OF TRAVEL (H-75)

RESTROOMS REQUIRED = 2
EXITS REQUIRED = 2

OVERHEAD SHELVES = 28 FT
FLOOR SHELVES = 45 FT

EXTENSION WALL	0.00
CLASH	0.00
INTERIOR WALL	0.00
PARTIAL HEIGHT WALL	0.00
COOLER WALL	0.00

Variable	Mean	SD	Min	Max
Age	35.4	10.2	22	55
Gender	1.2	0.4	1	2
Education	12.5	1.8	10	16
Income	1.5	0.5	1	2
Health	1.8	0.6	1	3
Stress	2.1	0.7	1	3
Life Satisfaction	3.2	0.8	2	4



1047860 - HARLINGEN TX - LTC LAYOUT 03

WASH 77 & P SYNDICAT
HARRINGTON, TX

FD-503 (Rev. 5-70)

APPROVED YES ☒ NO ☐

APPROVED YES ☒ NO ☐



Specific Use Permit ("SUP") Routing Slip

Applicant: Tim Ilaoa c/o 7-Eleven Inc.

Phone No.: (972) 890-2560

Location: 1610 South F Street

Project Description: Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail ("GR") District located at 1610 South F Street, bearing a legal description of Block I, Williams Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

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

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: March 18, 2024



Specific Use Permit ("SUP") Routing Slip

Applicant: Tim Ilaoa c/o 7-Eleven Inc.

Phone No.: (972)890-2560

Location: 1610 S. F Street

Project Description: Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail ("GR") District located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision.

Department: HARLINGEN POLICE DEPT.

Approval: ✓ YES NO

Comments:


Signature

3-13-24
Date



Specific Use Permit ("SUP") Routing Slip

Applicant: Tim Ilaoa c/o 7-Elven Inc.

Phone No.: (972)890-2560

Location: 1610 S. F Street

Project Description: Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail ("GR") District located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision.

Department: Bldg. Permits Dept.

Approval: ☒ YES ☐ NO

Comments:

Must comply with the 2018 International Building Code and Family of Codes.

A handwritten signature in blue ink, appearing to be 'Tim Ilaoa'.

03/11/2024

Signature

Date

Sol Nunez

From: James Padilla
Sent: Tuesday, March 12, 2024 10:47 AM
To: Sol Nunez; Juan Martinez; Juan Sanchez - HFD; Frances Pena - HPD
Subject: RE: Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail District ("GR") located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision.

Good morning Sol, 7-Eleven/Stripes is already permitted by the Health Department and has no requirements pertaining to the SUP. 7-Eleven/Stripes may have to contact TABC to confirm if this can be done on their property. If you have any questions, please feel free to contact me. Thanks

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

From: Sol Nunez <soln@harlingentx.gov>
Sent: Monday, March 11, 2024 10:08 AM
To: Juan Martinez; Juan Sanchez - HFD; James Padilla; Frances Pena - HPD
Subject: Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail District ("GR") located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision.
When: Wednesday, March 20, 2024 4:30 PM-5:00 PM (UTC-06:00) Central Time (US & Canada).
Where: Planning

Good Morning,

Please review the attached application and plans and provide comments on or before the end of day, **Wednesday, March 20th**. For any questions or more information, you can reach me via email or by phone at 956-216-5267. Thank you.

Sincerely,

Soledad H. Nunez

City Planner
Planning & Development
502 E. Tyler Avenue
O: 956-216-5101
D: 956-216-5267
sol@harlingentx.gov



ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO 7-ELEVEN INC TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON—SITE CONSUMPTION IN A GENEAL RETAIL (“GR”) DISRICT LOCATED AT 1610 S. F STREET, BEARING A LEGAL DESCRIPTION OF BLOCK 1, WILIAMS SUBDIVSION 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 7-Eleven Inc. to allow the sale of alcoholic beverages for on-site consumption in a General Retail (“GR”) District located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision.

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

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

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

1. Must obtain and maintain the proper State and City permits;
2. Must maintain the required parking in accordance with city regulations;
3. Must provide video surveillance with a minimum 30 day retention; and,
4. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 5:00 am to 8:00 pm, everyday.

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.

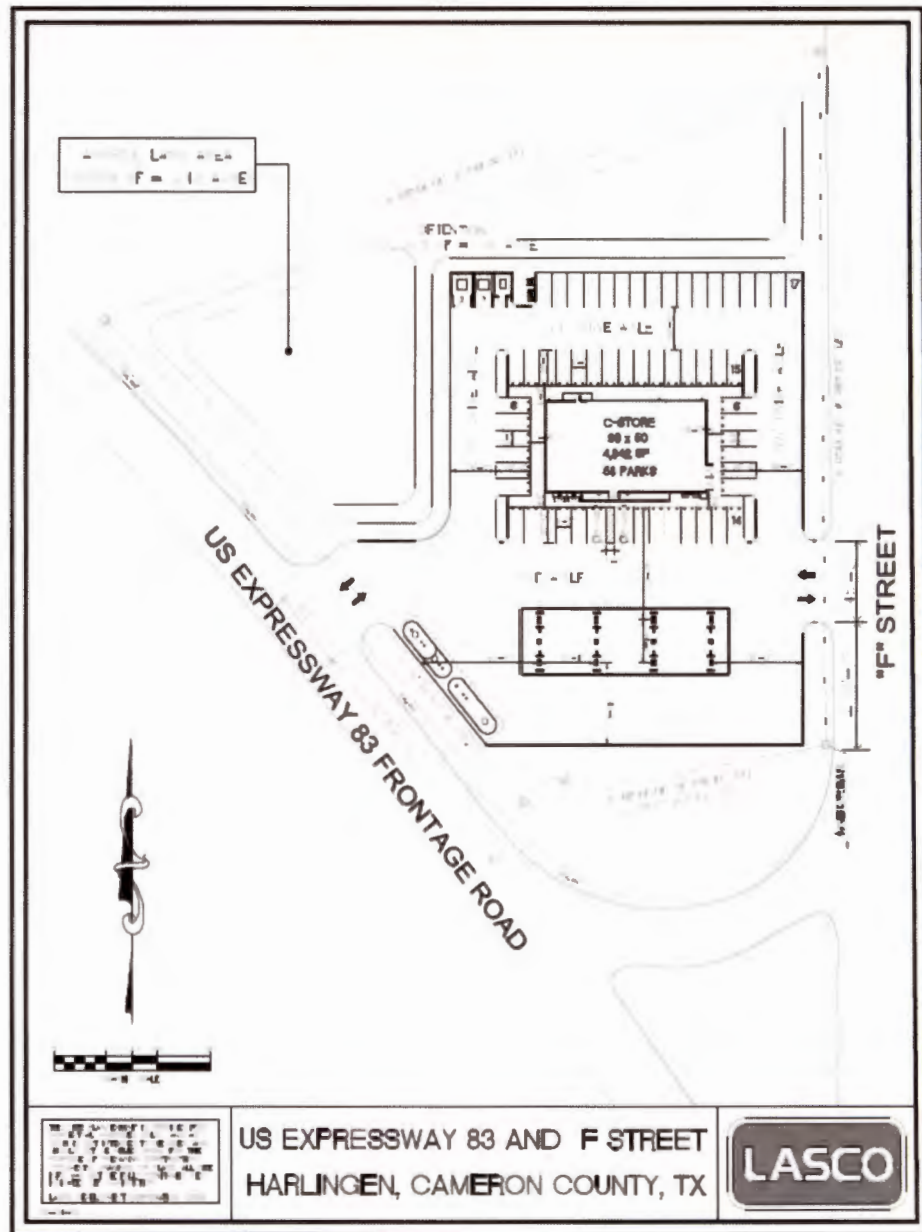
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(b)

Meeting Date: **April 2, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) request to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision. Applicant: Daisy Nieto. Attachment (**Planning & Development**)

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- March 4, 2024 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I**)
- March 16, 2024 – In accordance with State 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 16, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 27, 2024– Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- April 2, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- April 17, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per Section 111-62 the City of Harlingen's Code of Ordinances, an adult business (microblading studio) in a General Retail ("GR") District requires the approval of a Special Use Permit (SUP) by the City Commission.
- Daisy Nieto, the applicant, is requesting a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District in an existing 200 square foot suite located in a commercial plaza at 2222 S. Expressway 83. (**ATTACHMENT II, III**)
- Based on the site plan and information submitted, the applicant is proposing to operate Tuesday – Saturday from 10am – 5pm, under the name of Brows by Daisy. The intended use is for a microblading studio. Two (2) parking spaces are required and thirty-two (32) parking spaces are provided in the common parking area for the plaza. (**ATTACHMENT II, III**)
- Surrounding properties are zoned General Retail ("GR") District to the north, east, south, and west. The surrounding land uses consist of the Move It Storage to the east and south, a vacant lot to the northwest and a Valero gas

station/convenience store to the north. (ATTACHMENT IV, V)

- The Building Inspections Department, Fire Prevention Bureau, Harlingen Police Department, and Health Department have reviewed the application and recommended approval of the Special Use Permit. (ATTACHMENT VI-IX)
- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- To present, the Planning and Development Department has not received any calls regarding the Special Use Permit (SUP) request. Staff mailed out fourteen (14) legal notices to surrounding property owners.

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 special use permit subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits;
2. Must maintain the required parking in accordance with city regulations;
3. Must comply with the requirements administered by the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
4. Hours of operation for the business shall be Tuesday through Saturday from 10:00 am to 8:00 pm.

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 2222 S Expressway 83 #508 Nearest Intersection _____
 (Proposed) Subdivision Name _____ Lot _____ Block _____
 Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Daisy Nieto Phone (956) 456-1782 FAX _____
 Email Address (for project correspondence only): daisy.nieto11@gmail.com
 Mailing Address 16765 E McCullar Ct. City Primeria State TX Zip 78552
 Property Owner Jeremy Marquez Phone (956) 421-5996 FAX _____
 Email Address (for project correspondence only): Dangerville @ more it storage. com
 Mailing Address 2222 S. Expressway 83 City Harlingen State TX Zip 78552

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> | |

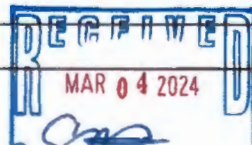
Please provide a basic description of the proposed project: microblading

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: 03-04-24

Property Owner(s) Signature: [Signature] Date: 3-4-24

Accepted by: _____ Date: _____



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

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

Complete

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

- Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
- Locations of proposed uses; and
- Ingress and egress to/from property;
- Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
- Existing/proposed sidewalks; and
- Existing/proposed utilities; and
- Existing/proposed drainage; and
- Existing/proposed parking spaces.

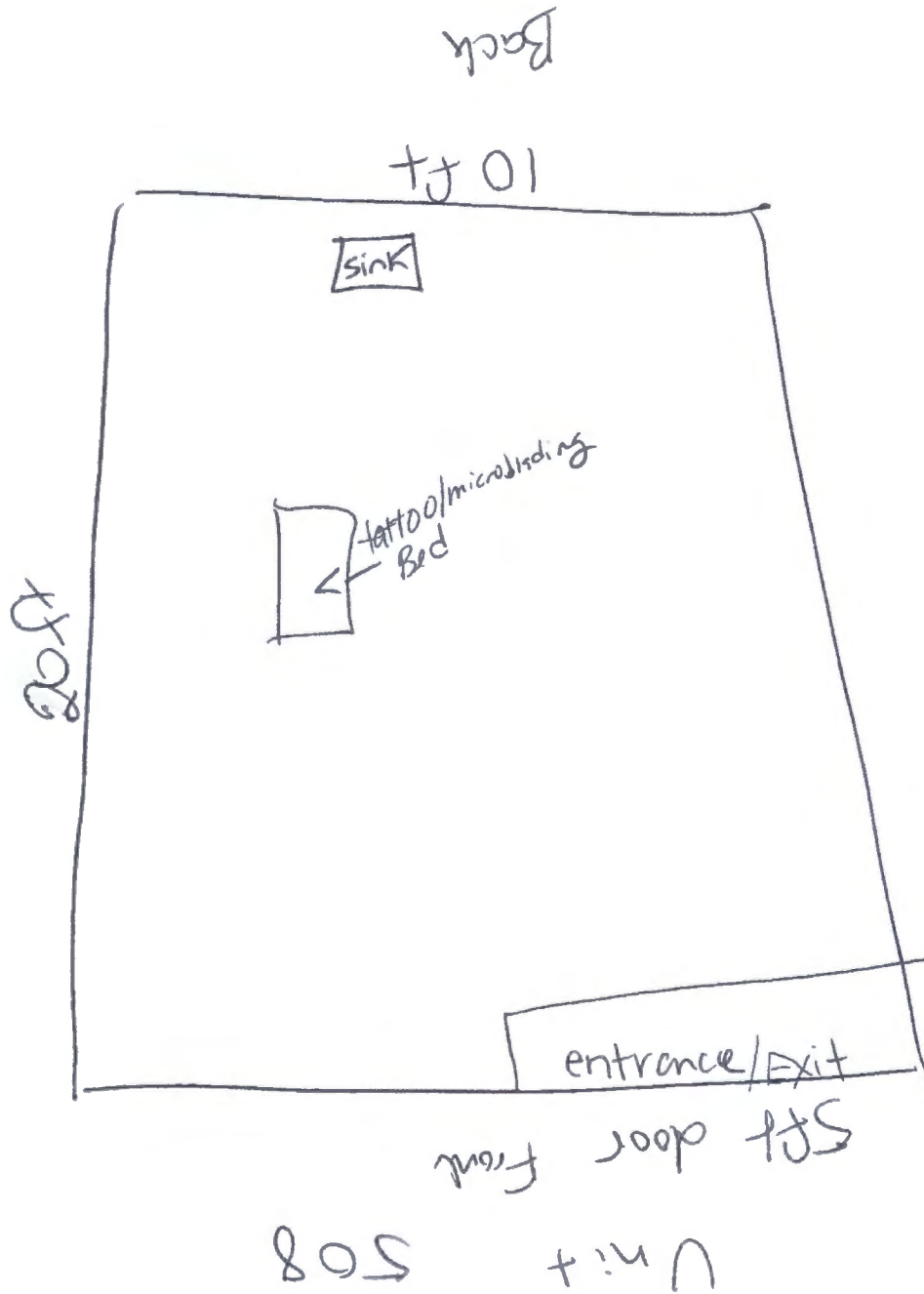
A written statement describing the proposed use(s) of the subject property.

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

- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a PDD or SUP request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
- I understand that the purpose of a PDD or SUP is to allow for development not otherwise authorized in the Zoning Ordinance. Hence, the Planning and Zoning Commission and/or City Commission may impose development standards important to the health, safety, welfare, and protection of the proposed development and the adjacent property and its occupants.

Owner: Daisy Nieto Date: 03-04-24
 Owner Address: 2222 S Expressway 83 Harlingen, TX 78552 Suite 508
 Phone/Fax: (956) 456-1782
 Signature: [Signature]

ATTACHMENT I



ATTACHMENT II

Street View from Rangerville Road



ATTACHMENT II

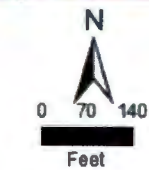
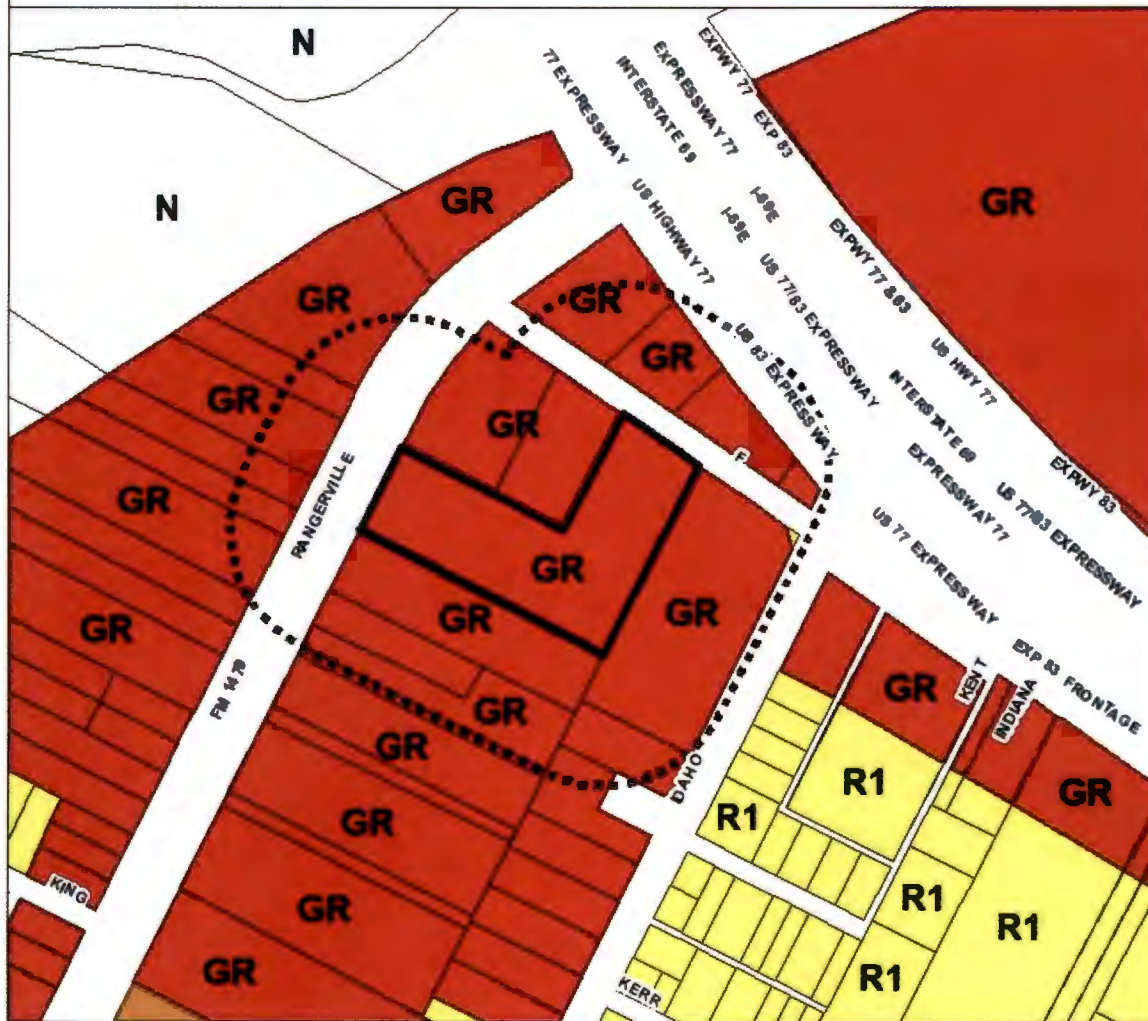
Street View from South F Street



ATTACHMENT IIII



Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision. Applicant: Daisy Nieto



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 03.05.2024

ATTACHMENT V

Aerial View





Specific Use Permit ("SUP") Routing Slip

Applicant: Daisy Nieto

Phone No.: (956) 456-1782

Location: 2222 S. Expressway 83, Suite 508

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

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

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: March 11, 2024

ATTACHMENT VII – Building Inspections



Specific Use Permit ("SUP") Routing Slip

Applicant: Daisy Nieto

Phone No.: (956) 456-1782

Location: 2222 S. Expressway 83, Suite 508

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision.

Department: Building Permits and Inspections Department.

Approval: YES X NO

Comments:

Please provide overall proposed floor plan identifying all areas to be used, to calculate occupant load, determine required plumbing fixtures and means of egress.

Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization as per 2018 Int'l Plumb. Code. Please identify location

Please provide site plan showing suite location, provided address is designated to MOVE IT Storage Facility.

A handwritten signature in blue ink, appearing to be 'Daisy Nieto'.

03/11/2024

Signature

Date



Specific Use Permit ("SUP") Routing Slip

Applicant: Daisy Nieto

Phone No.: (956) 456-1782

Location: 2222 S. Expressway 83, Suite 508

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision.

Department: HARLINGEN POLICE DEPT.

Approval: ☒ YES ☐ NO

Comments:


Signature

3-18-24
Date

Sol Nunez

From: James Padilla
Sent: Tuesday, March 12, 2024 10:52 AM
To: Sol Nunez; Juan Martinez; Juan Saucedo Jr. - HFD; Frances Pena - HPD
Subject: RE: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1

Good morning Sol, the SUP for the microblading studio will need to contact Texas Department of Licensing and Regulation (TDLR) through their website for any requirements needed. Our Health Department does not regulate microblading businesses. Thanks

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

From: Sol Nunez <soln@harlingentx.gov>
Sent: Monday, March 11, 2024 3:34 PM
To: Juan Martinez; Juan Saucedo Jr. - HFD; James Padilla; Frances Pena - HPD
Subject: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1,
When: Wednesday, March 20, 2024 4:30 PM-5:00 PM (UTC-06:00) Central Time (US & Canada).
Where: Planning

***Note the routing slip has been corrected.**

Good Afternoon,

Please review the attached application and plans for a Special Use Permit request for a microblading studio and provide comments on or before the end of day, **Wednesday, March 20th**. For any questions or more information, you can reach me via email or by phone at 956-216-5267. Thank you.

Sincerely,

Soledad H. Nunez

City Planner
Planning & Development
502 E. Tyler Avenue
O: 956-216-5101
D: 956-216-5267
sol@harlingentx.gov



ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO DAISY NIETO TO ALLOW AN ADULT BUSINESS (MICROBLADING STUDIO) IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 2222 S. EXPRESSWAY 83, SUITE 508, BEARING A LEGAL DESCRIPTION OF 1.956 ACRES OF 3.30 ACRES PART WEST 10.34, LOT AN-1, BLOCK 24, LON C. HILL SUBDIVISION.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Special Use Permit (SUP) issued to Daisy Nieto to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision.

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

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

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

1. Must obtain and maintain the proper State and City permits;
2. Must maintain the required parking in accordance with city regulations;
3. Must comply with the requirements administered by the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
4. Hours of operation for the business shall be Tuesday through Saturday from 10:00 am to 8:00 pm.

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.

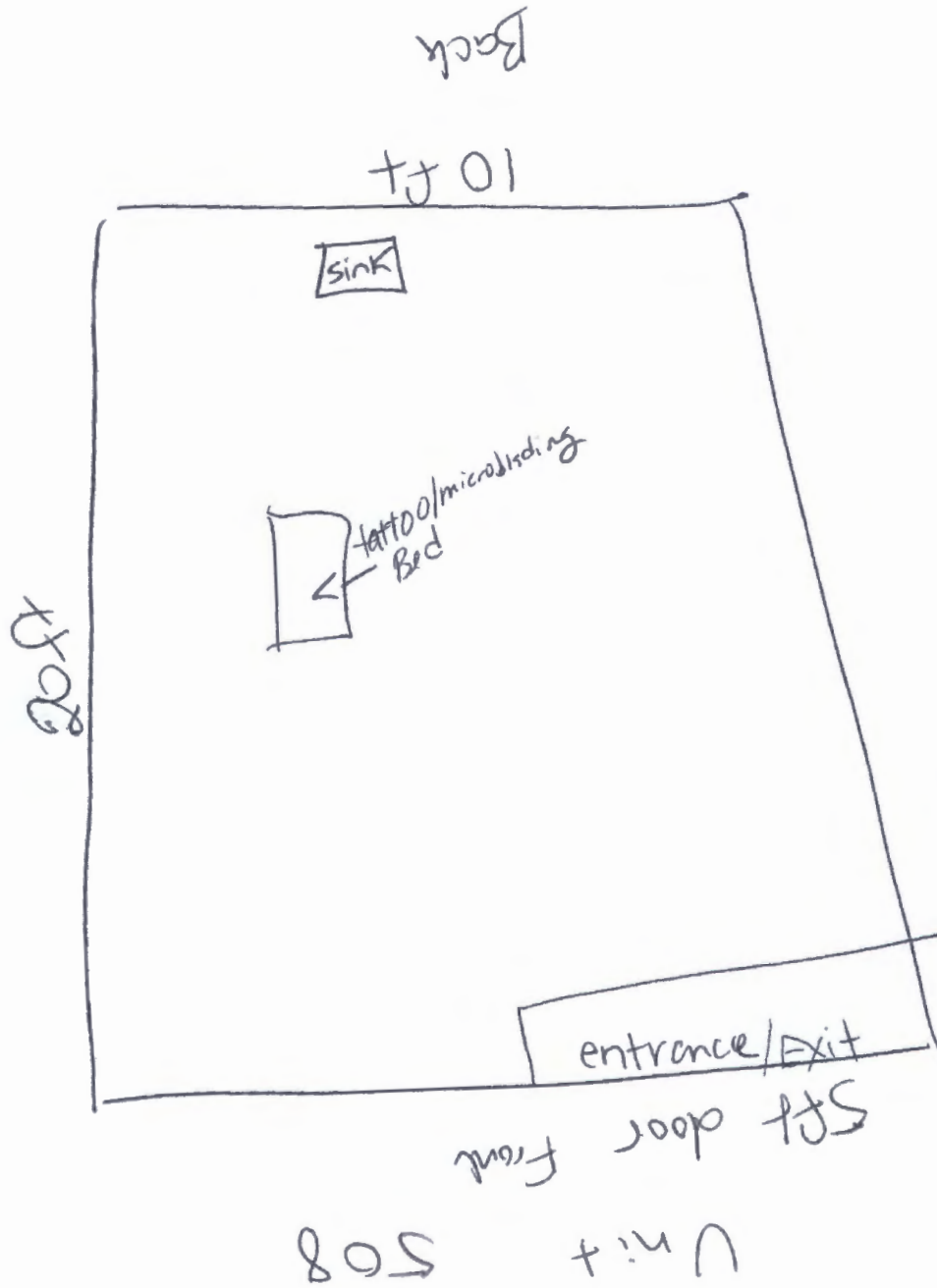
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(C)

Meeting Date: **April 2, 2024**

Agenda Item:

Conduct a public hearing and 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 102 N. 27th Street, bearing a legal description of Lot 8, Block C, Hunter Subdivision No. 1. Applicant; Mark Hallett

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- February 28, 2024 – Application for rezoning submitted to the City **(ATTACHMENT I)**.
- March 16, 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 16, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- March 27, 2024 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- April 2, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- April 17, 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 property from Residential, Single Family, ("R-1") District to Residential, Duplex ("R-2") District to allow for a duplex at the site. **(ATTACHMENT I)**.
- The subject property, located at the northeast corner of North 27th Street and East Jackson Street, measures 75 feet by 120 feet. There is currently a single-family residence on the property, **(ATTACHMENT III)**. If the rezoning is approved, the applicant has plans to demolish the existing house to build a new duplex structure.
- The surrounding properties are zoned Residential, Single-Family ("R-1") to the north, south, and west and Residential, Multi-Family ("M-2") to the east. Surrounding land uses include single family residences to the north, south, and west, and the Eastgate Mobile Home Park to the east. **(ATTACHMENT IV)**
- The Future Land Use Plan component of the City of Harlingen's Vision 2020 Comprehensive Plan shows this area as low density residential. A duplex use is

considered low density residential, and therefore, the request is consistent with the Future Land Use Plan. **(ATTACHMENT VI)**.

- To the present, the Planning and Zoning Department has received no phone calls in opposition from the surrounding property owners regarding the proposed request. Staff mailed out 13 notices to surrounding property owners.

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:

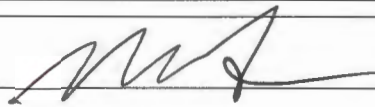
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

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

Attachment I - Application

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 102 North 27th St. Nearest Intersection E Harrison Ave
(Proposed) Subdivision Name Hunter Subdivision #1 Lot 8 Block C
Existing Zoning Designation R-1 Future Land Use Plan Designation R-2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Mark Hallett Phone 907-406-7747 FAX _____
Email Address (for project correspondence only): hallettmark11@gmail.com
Mailing Address 102 North 27th St. City Harlingen State TX Zip 78550
Property Owner John, Mark and Jacob Hallett Phone 907-406-7747 FAX _____
Email Address (for project correspondence only): hallettmark11@gmail.com
Mailing Address 102 North 27th St. 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> | |

Please provide a basic description of the proposed project:

Please refer to the attached Project Proposal pdf for a brief description of the proposed project.

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

Applicant's Signature: [Signature] Date: 2/28/2024

Property Owner(s) Signature: [Signatures] Date: 2/28/2024

Accepted by: _____ Date: _____

Attachment I - Application

RE-ZONING REQUEST SUBMITTAL CHECKLIST

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

Complete

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

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

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

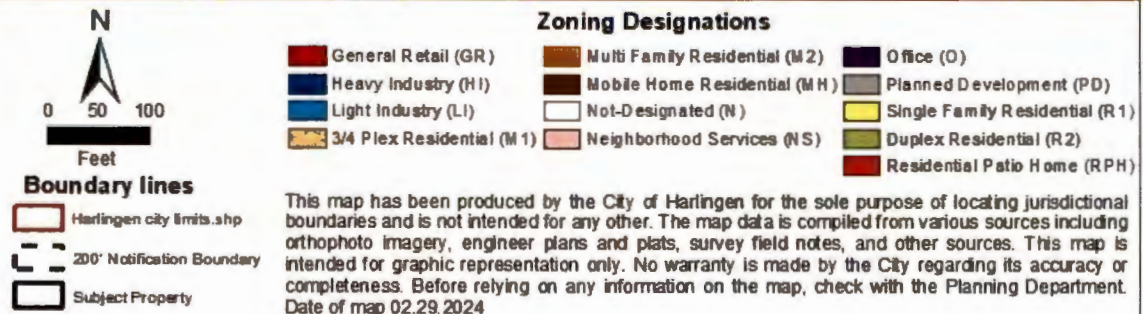
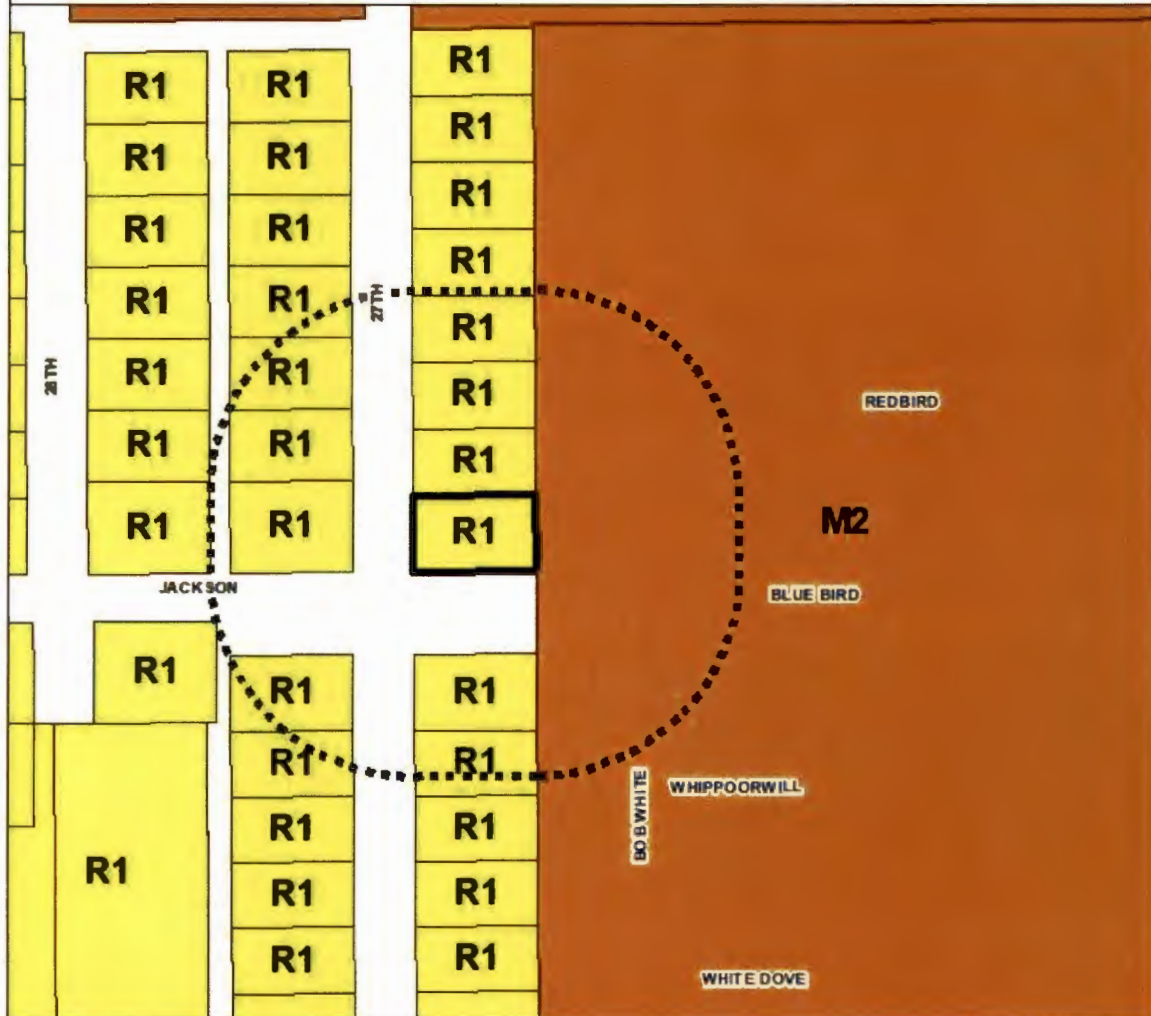
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to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

Owner: John, Mark and Jacob Hallett Date 2/28/2024
Owner Address: 102 North 27th St. Harlingen Tx, 78550
Phone/Fax: 907-406-7747
Signature:   

Attachment II



Request to rezone from Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 102 N. 27th Street, bearing a legal description of Lot 8, Block C, Hunter No. 1 Subdivision. Applicant: Mark Hallett

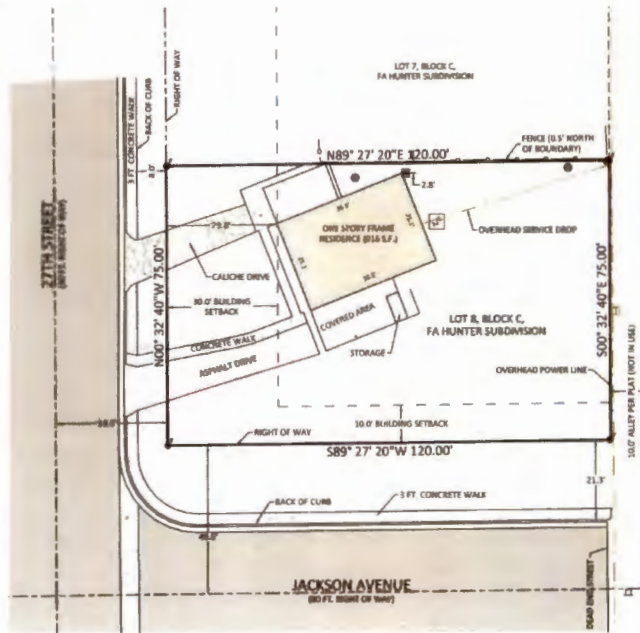


Attachment III - Survey

GENERAL NOTES

1. BASIS OF BEARINGS AS PER THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, MAG 83.
2. ADDRESS: 100 N. 27TH STREET, HARKINSBURG, TEXAS 78550
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE AND MAY BE SUBJECT TO EASEMENTS AND RESERVATIONS NOT SHOWN HEREON.
4. BUILDING SETBACKS NEED TO COMPLY WITH THE CITY OF HARKINSBURG REQUIREMENTS.
5. BOUNDARY ESTABLISHED BY DEED RECORDED IN DOCUMENT NO. 2020-24937, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.

LEGEND	
	IRON ROD FOUND
	IRON ROD NOT FOUND
	IRON ROD 5FT WITH CAP
	STAMPED MEDINA 5713
	TELEPHONE PEDISTAL
	WATER METER
	TRANSFORMER
	CABLE PEDISTAL
	A.C. UNIT
	MAILBOX
	CLEANOUT



FLOOD ZONE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES IN ZONE "X" AS PER THE NATIONAL FLOOD INSURANCE PROGRAM OF COMMUNITY NO. 48477, PANEL NO. 003A, SURVEY "N", REVISED FEBRUARY 14, 2008.

SURVEYOR CERTIFICATE

I, JOSE D. MEDINA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED FROM AN ON THE GROUND SURVEY PERFORMED BY ME OR BY MEN UNDER MY SUPERVISION. THIS SURVEY CONFORMS TO THE MINIMUM STANDARDS OF PRACTICE PROCLAIMED BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

JOSE D. MEDINA, R.P.L.S.
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5713

26 February 2024
DATE



BOUNDARY SURVEY OF:

LOT EIGHT (8), BLOCK C,
FA HUNTER SUBDIVISION
CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP
THEREOF RECORDED IN VOLUME 14, PAGE 64, MAP
RECORDS, CAMERON COUNTY, TEXAS.

FOR: JOHN MICHAEL HALLETT, MARK ANTHONY HALLETT AND JACOB ANDREW HALLETT			
FERRIS, FLINN & MEDINA, LLC			
ENGINEERS & SURVEYORS			
1405 N. BRUNY PLACE, BEAUMONT, TEXAS 77705			
Phone: 409-833-1111 Fax: 409-833-1112			
Surveyed by: JOSE D. MEDINA			
1" = 20'	DRAWN BY: JDM	10 FEBRUARY 2024	JDM NO. 1133-002
CHECK: VARGAS TO GALAZAR / JACQUEMEDINA			
LATITUDE: 28° 1' 34.9"		LONGITUDE: -97° 40' 03.9"	
Scale: 1" = 20'			

Attachment IV - Aerial

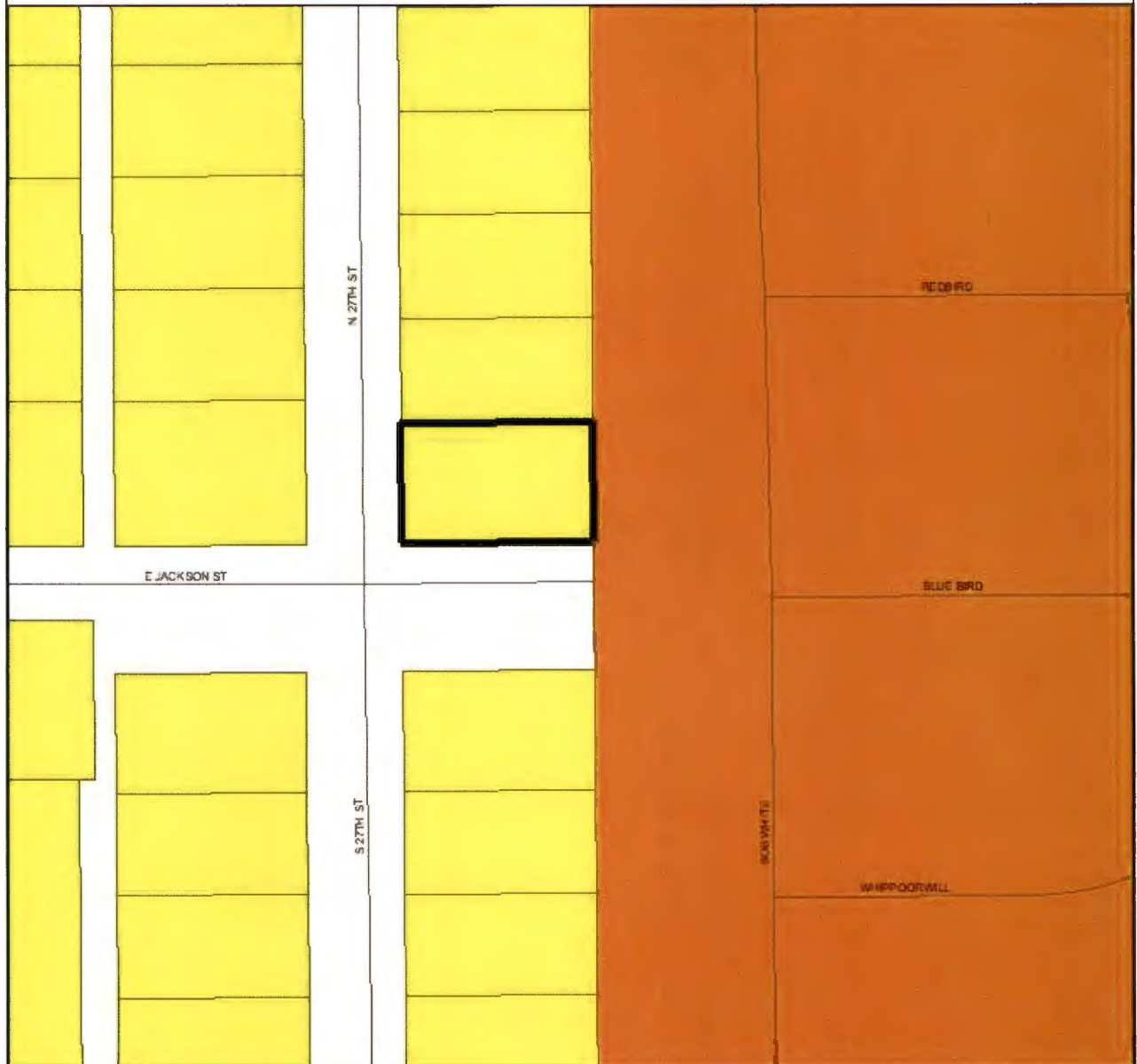


Attachment V – Future Land Use Map



Future Land Use Map

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



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.

Attachment VI – Street View

Street View from North 27th Street



Attachment VI – Street View

**Street View from East Jackson
Street**



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 102 N. 27TH STREET, BEARING A LEGAL DESCRIPTION OF LOT 8, BLOCK C, HUNTER SUBDIVISION NO. 1. APPLICANT: MARK HALLETT

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 102 N. 27th Street, bearing a legal description of Lot 8, Block C, Hunter Subdivision No. 1.

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.

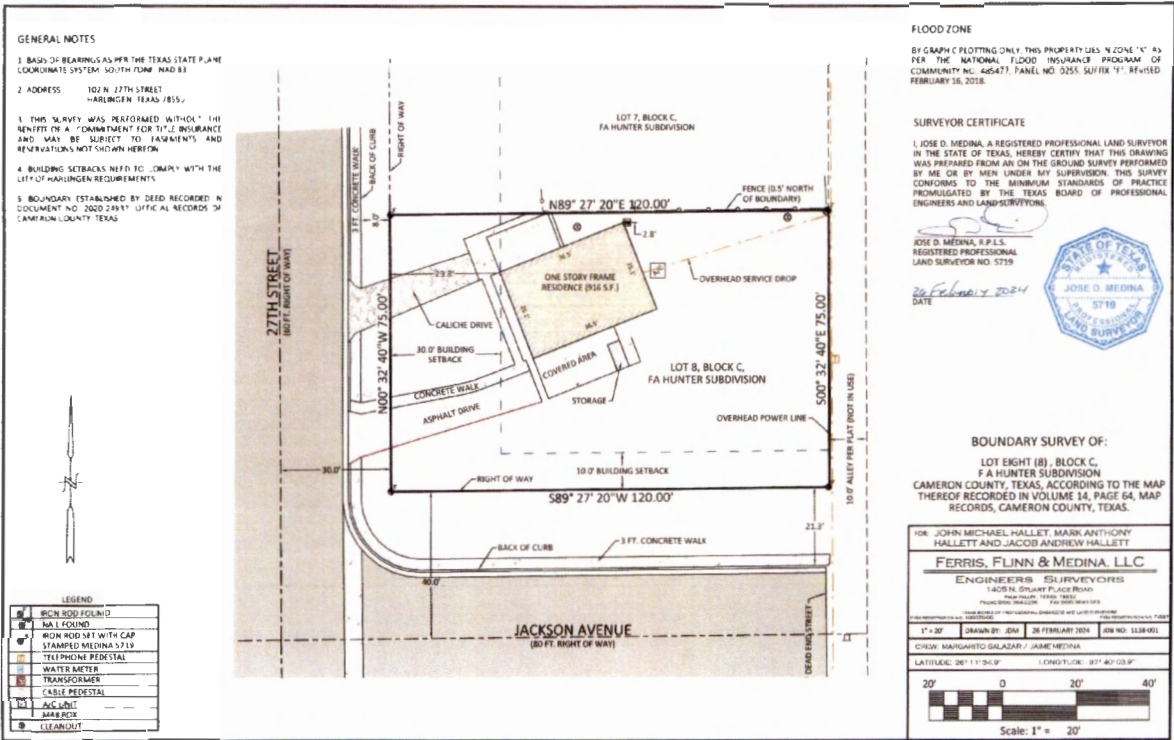
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



1:118 MARK 14-0000-1-10 2021 01 08 B Block C FA Hunter Subdivision Survey

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(d)

Meeting Date:

April 2, 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 Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of right-of-way, one cul-de-sac to serve 28 lots, and smaller lot sizes for Lots 1, 15-19, 21-33, and 36-48, for a proposed 80-lot single-family development on a property bearing a legal description of 15.76 acres tract of land, being all of Block 4, and a part or portion of Blocks 3, 5, and Block 17, Stuart Place Subdivision, located along the west side of South Palm Boulevard, approximately 480 feet south of Business Highway 83. Applicant: Javier Hinojosa c/o Jason E. Garza. 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 rezoning was submitted to the City. (**ATTACHMENT I**)
- March 9, 2024 – In accordance with State and local law, notice of the required public hearings was mailed to all property owners within a 200 ft. radius of subject tract.
- March 16, 2024 – In accordance with State and local law, notice of the required public hearings was published in the Valley Morning Star.
- March 27, 2024 – Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z)
- April 2, 2024 – Public hearing and consideration of the requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 17, 2024 – Pending approval of 1st ordinance reading, consideration and approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Residential, Single-family ("R-1") District to Planned Development ("PD") District to allow 32 ft. wide streets with 50 ft. of Right-of-Way, one cul-de-sac to serve 28 lots, and smaller lot sizes for an 80-lot single-family development. (**ATTACHMENT II.**)
- Pursuant to Sect. 109-124 (c)(8) of the Code of Ordinances Chapter 109 – Subdivisions, temporary or permanent cul-de-sac streets shall not serve more than 26 lots and shall in no case exceed 1,300 feet in length. The applicant is pursuing a Planned Development ("PD")

District rezoning to allow for one cul-de-sac in a subdivision with over 28 lots.

(ATTACHMENT III.)

- Pursuant to Sec. 109-124 (b)(3) of the Code of Ordinances Chapter 109 – Subdivisions, lot sizes, setback lines, rear yards, and side yards shall be in accordance with the zoning ordinance chapter 111 of the city ordinance. Residential, Single-family (“R-1”) zoning designation requires a minimum 6,000 sq. ft. minimum lot area. Lots 1, 15-19, 21-33, and 36-48 have a lot size of below 6,000 sq. ft. **(ATTACHMENT III.)**
- Pursuant to Sect. 109-124 (c)(11)(d) of the Code of Ordinances Chapter 109 – Subdivisions, Local streets shall have a right-of-way of 60 feet and a pavement width of a minimum of 37 feet from the back of curb to the back of curb, unless the land use density dictates the need for 40 feet of pavement width as determined by the planning and zoning commission. Local streets which are looped off perimeter local streets, collectors or arterials, and cul-de-sacs not exceeding the maximum length of 600 feet may be 32 feet in pavement width from the back of the curb to the back of the curb with a minimum right-of-way of 50 feet. **(ATTACHMENT III.)**
- The subject property is currently vacant. The subject property has 633 feet of frontage along South Palm Boulevard and a depth of 1526.05 feet. South Palm Boulevard is classified as a Major Collector Road with a two-lane, 28 ft-wide paved city street with no curb and gutter. **(ATTACHMENT IV, V)**
- The surrounding properties are zoned Residential, Single-Family (“R-1”) and General Retail (“GR”) to the north, Residential, Single-Family (“R-1”) to the east, Residential, Single-Family (“R-1”) to the south, and Residential, Single-Family (“R-1”) and Residential, Mobile Home (“MH”) to the west of the subject property. Surrounding land uses include a church to the north, a medical office to the northeast, vacant land to the east, Moises Vela Middle School to the south, and the Park Place Estates RV Resort to the west of the subject property. **(ATTACHMENT V)**
- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision One Harlingen shows this area as Institutional. Although the request is not consistent with the Future Land Use Plan, it is consistent with the Single-family zoning and land uses to the northeast and west of the subject property. Staff believes that this area is in transition to single-family residential use. **(ATTACHMENT VI)**
- The City of Harlingen Fire Prevention Bureau and Engineering Departments had reviewed the proposed rezoning. The Fire Prevention Bureau and Engineering Departments recommended approval. **(ATTACHMENT VII)**
- Park fees must be paid for the subdivision. Park fees are \$450 per dwelling unit. A total of \$36,000 will have to be paid in park fees prior to subdivision recording. The fees will go to Park Zone 1 (the southwest zone). **(ATTACHMENT VIII)**

- Staff mailed out 9 notification letters to the surrounding property owners within a 200-foot radius. To the present, the Planning and Development Department has not received any phone calls from the surrounding property owners.

Funding (if applicable):

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

*If no, specify course of funding and amount requested: ☐ YES ☐ NO ☐ N/A

Finance Director's approval:

Staff Recommendation:

Staff recommends approval of the rezoning request.

City Manager's approval:

CM

☒

YES

☐

NO

☐

N/A

Comments

City Attorney's approval:

MA

☒

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 Bus. Hwy. 83 and Palm Blvd.
(Proposed) Subdivision Name Agave Estates Subdivision Lot _____ Block _____
Existing Zoning Designation R-1 Future Land Use Plan Designation PDD

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Javier Hinojosa Phone (956) 668-1588 FAX _____
Email Address (for project correspondence only): javier@javierhinojosaeng.com
Mailing Address 416 E. Dove Ave. City McAllen State TX Zip 78504
Property Owner Jason E. Garza Phone (956) 451-6390 FAX _____
Email Address (for project correspondence only): jason@wtcementers.com
Mailing Address P.O. Box 6105 City McAllen State TX Zip 78502

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: This is a 15.76 acre tract of land out of Blocks 3, 4, 5 and
17. Stuart Place Subdivision, Survey 42, Cameron County, Texas. Developer proposes a 80-lot single family
subdivision adjacent to and immediately north of Moises Vela Middle School.

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

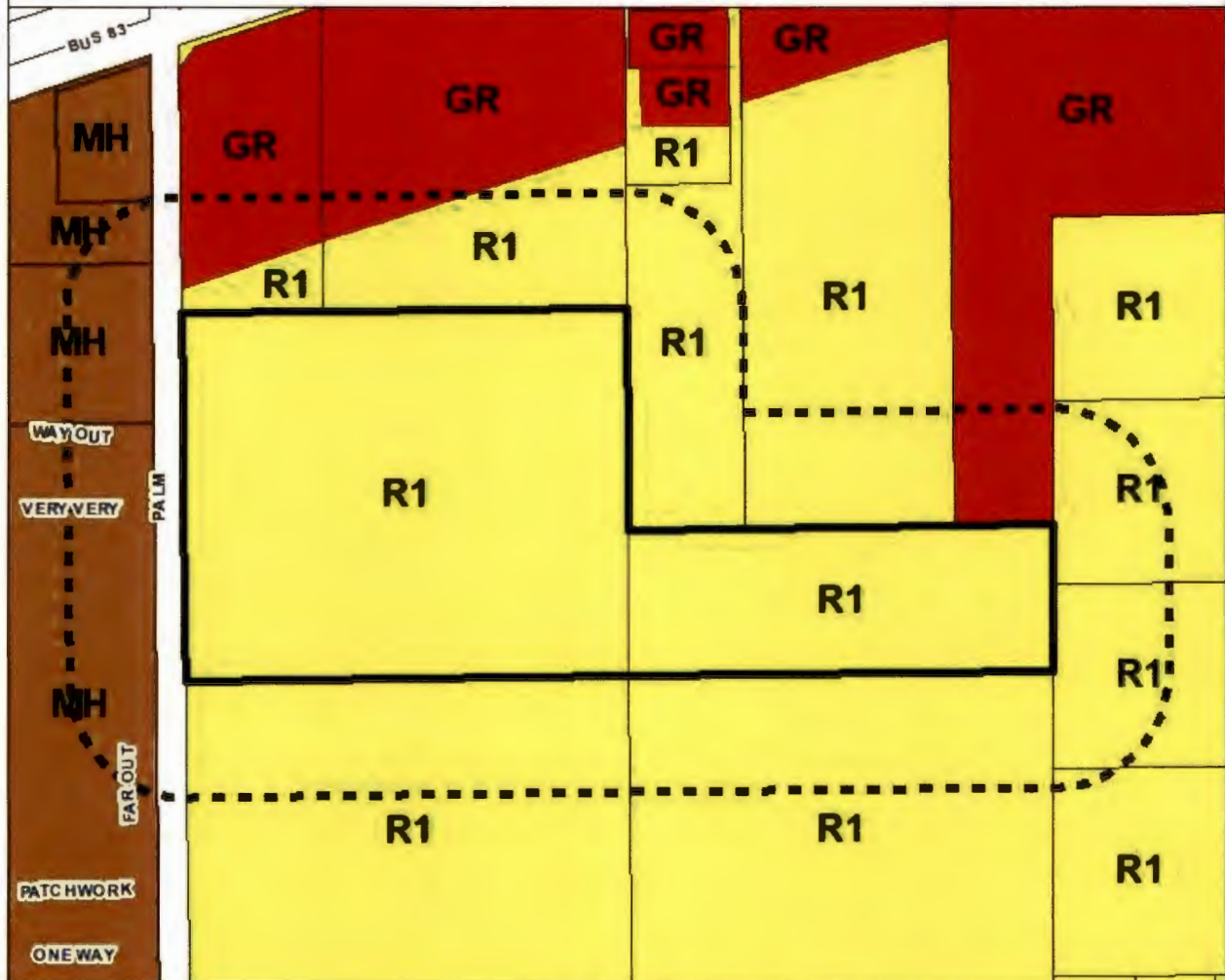
Property Owner(s) Signature: _____ Date: _____

Accepted by: _____ Date: _____

ATTACHMENT II



Request to rezone from Residential, Single-Family ("R-1") District to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of Right-of-Way, one cul-de-sac to serve 28 lots, and smaller lot sizes for an 80-lot single-family development on a property bearing a legal description of 15.76 acres tract of land, being all of Block 4, and a part or portion of Blocks 3, 5, and Block 17, Stuart Place Subdivision, located on the west side of South Palm Boulevard, approximately 480 feet south of Business Highway 83. Applicant: Javier Hinojosa c/o Jason E. Garza.



Boundary lines

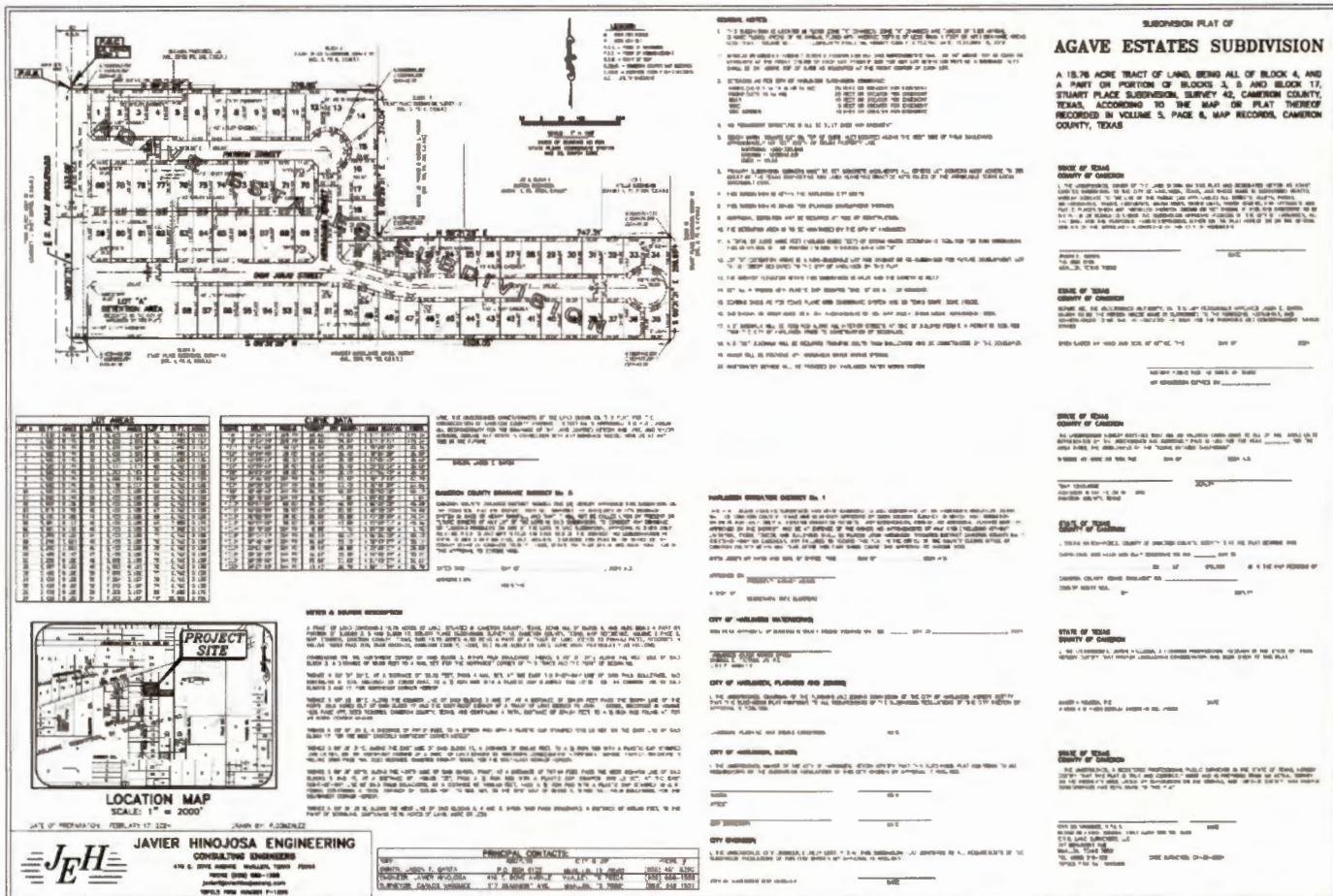
- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---------------------------|-------------------------------|-----------------------------------|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development 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 02.21.2024

ATTACHMENT III



ATTACHMENT IV

Street view of South Palm Boulevard



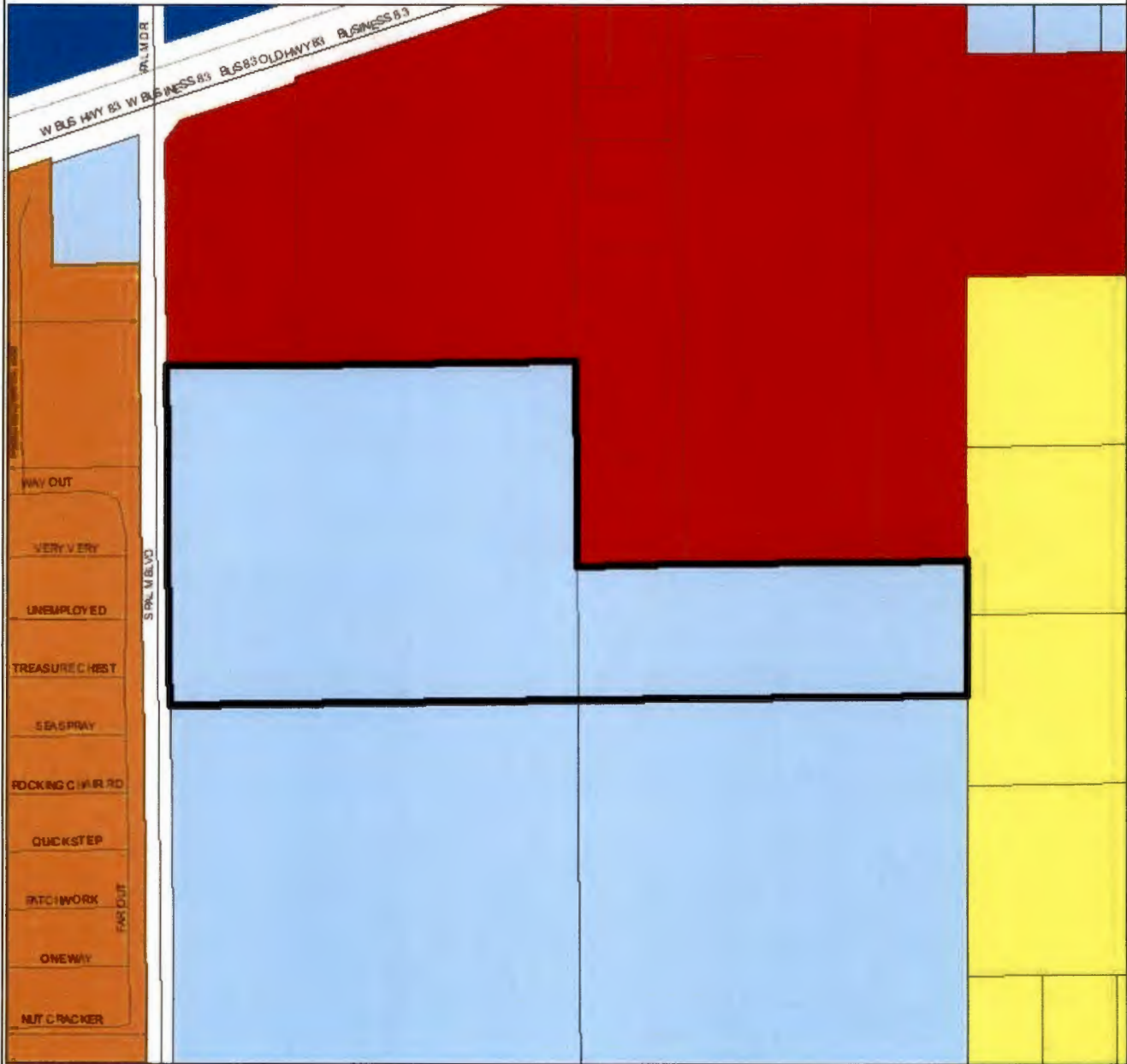
ATTACHMENT V



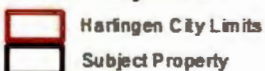


Future Land Use Map

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



Boundary Lines



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	

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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 AGAVE ESTATES SUBDIVISION, PRELIM/FINAL - 1ST SUBMITTAL

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', is written over a horizontal line.

Luis Vargas, PE, CFM

ATTACHMENT VII – Fire Prevention Bureau



Planned Development (PD) Request Routing Slip

Applicant: Javier Hinojosa c/o Jason E. Garza

Phone No.: (956) 668-1588

Location: Located on the west side of South Palm Boulevard, approximately 480 feet south of Business Highway 83

Project Description: Request to rezone from Residential Single-Family ("R-1") District to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of Right-of-Way, one cul-de-sac to serve 30 lots, and smaller lot size for an 80-lot single family development.

Department: Fire Prevention Bureau

Approval: YES X YES with comments NO

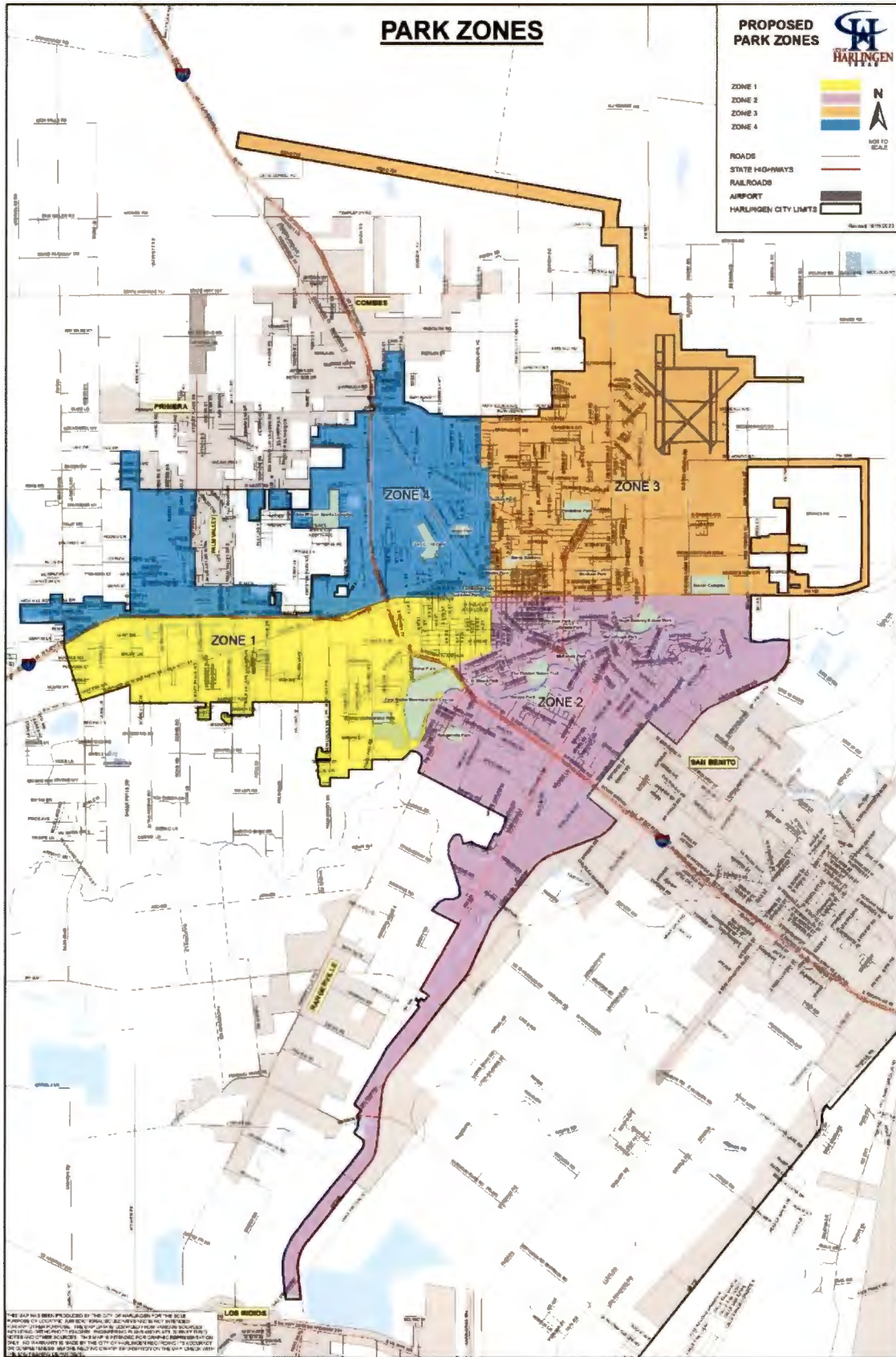
Comments: **Variance option for Sec. 109-124(c)(8) Temporary or permanent cul-de-sac streets shall not serve more than 26 lots and shall in no case exceed 1,300 feet in length. The cul-de-sac bulb shall have a right-of-way of 100 feet in the turnaround and paved not less than 80 feet in diameter in residential areas, and a right-of-way of 120 feet and a paved turnaround of not less than 100 feet in diameter in commercial and industrial areas. The measurement of a cul-de-sac shall be taken from the centerline of the nearest intersecting street to the center point of the cul-de-sac turnaround.**

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: March 22, 2024

ATTACHMENT VIII – Park Zones Map



ORDINANCE NO. 24_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, SINGLE-FAMILY ("R-1") TO PLANNED DEVELOPED DISTRICT ("PD") TO ALLOW 32 FT. WIDE STREETS WITH 50 FT. OF RIGHT-OF-WAY, ONE CUL-DE-SAC TO SERVE 28 LOTS, AND SMALLER LOT SIZES FOR LOTS 1, 15-19, 21-33, AND 36-48, FOR AN 80-LOT SINGLE-FAMILY DEVELOPMENT ON A PROPERTY BEARING A LEGAL DESCRIPTION OF 15.76 ACRES TRACT OF LAND, BEING ALL OF BLOCK 4, AND A PART OR PORTION OF BLOCKS 3, 5, AND BLOCK 17, STUART PLACE SUBDIVISION, LOCATED ON THE WEST SIDE OF SOUTH PALM BOULEVARD, APPROXIMATELY 480 FEET SOUTH OF BUSINESS HIGHWAY 83; 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 Ordinances and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Request to rezone from Residential, Single-family ("R-1") to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of Right-of-Way, one cul-de-sac to serve 28 lots, and smaller lot sizes for Lots 1, 15-19, 21-33, and 36-48, for a proposed 80-lot single-family development on a property bearing a legal description of 15.76 acres of land, being all of Block 4, and a part or portion of Blocks 3, 5 and Block 17, Stuart Place Subdivision, located on the west side of South

Palm Boulevard, approximately 480 feet south of Business Highway 83, as shown in Exhibits "A" and "B".

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 marking 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

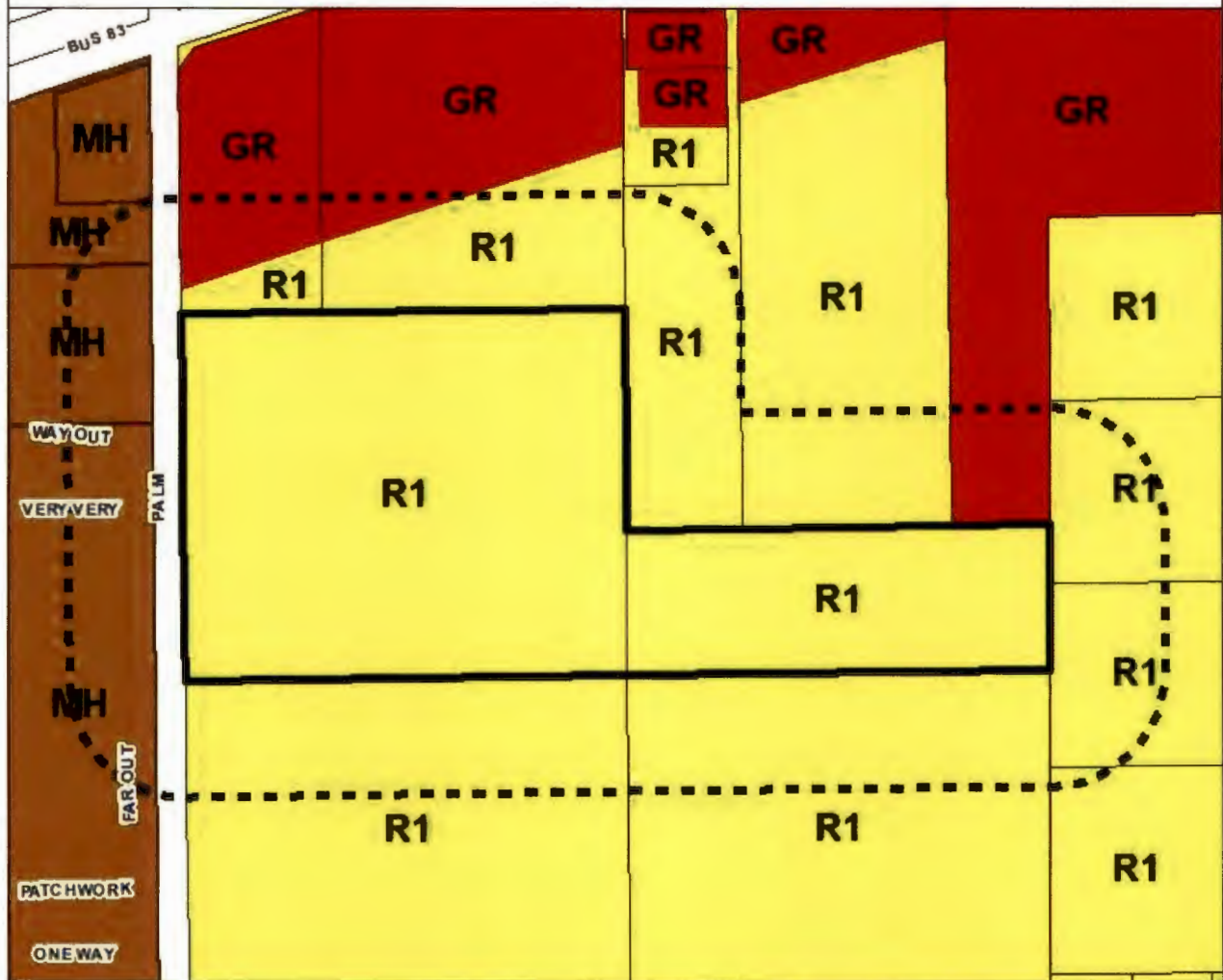
ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



Request to rezone from Residential, Single-Family ("R-1") District to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of Right-of-Way, one cul-de-sac to serve 28 lots, and smaller lot sizes for an 80-lot single-family development on a property bearing a legal description of 15.76 acres tract of land, being all of Block 4, and a part or portion of Blocks 3, 5, and Block 17, Stuart Place Subdivision, located on the west side of South Palm Boulevard, approximately 480 feet south of Business Highway 83. Applicant: Javier Hinojosa c/o Jason E. Garza.



Boundary lines

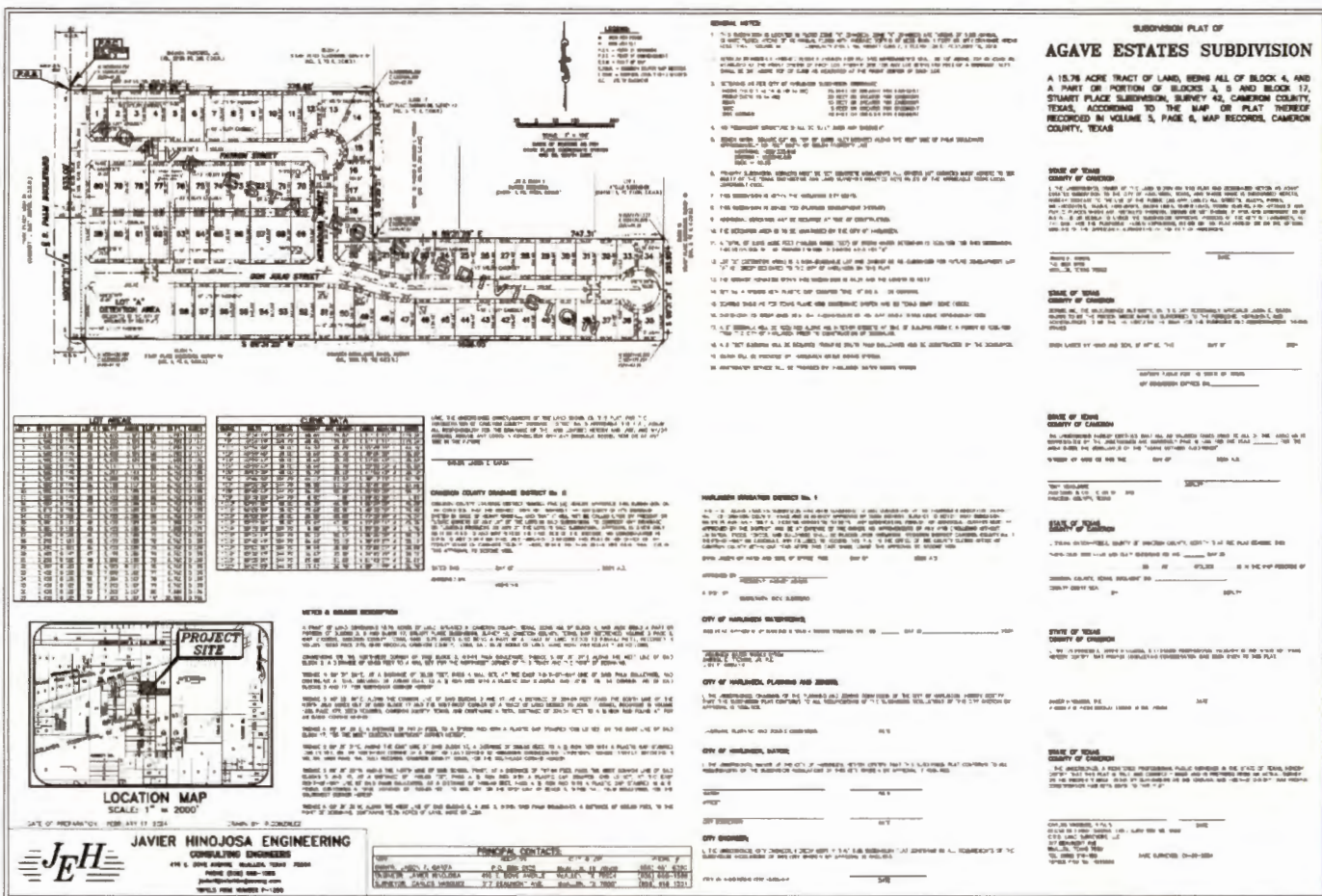
- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---------------------------|-------------------------------|-----------------------------------|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development 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 02.21.2024

Exhibit "B"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(e)

Meeting Date: **April 2, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading to abandon and vacate a 20-foot drainage easement being a 0.115 acre tract of land out of Lot 1, Block 1, Capps Addition, located along the west side of Loop 499 approximately 725 feet north of Harrison Avenue. Applicant: Santiago Espinoza

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- January 5, 2007 – The Capps Addition Subdivision was recorded.
- December 20, 2023 – Application for abandonment of a drainage easement submitted to the City. (**ATTACHMENT I and II**).
- March 11, 2024– City Engineer approves drainage easement abandonment.
- April 2, 2024 – Consideration of the drainage easement abandonment before the City Commission on First Ordinance Reading.
- April 17, 2024 – Pending approval of First Ordinance Reading, consideration of approval of Second Ordinance Reading scheduled before the City Commission.

Summary

- Santiago Espinoza, the applicant and property owner, is requesting that an existing 20 ft. drainage easement located near the center of his property be abandoned and vacated in order to allow for a proposed commercial development on the subject property (**ATTACHMENT II and III**). The subject easement interferes with the owner's planned use of the property.
- The subject property is currently vacant. It has 183.78 feet of frontage on Loop 499 and depth of 250.26 feet. The property also has a 15 ft. wide utility easement on the east side of the property. (**ATTACHMENT III-V**)
- The requested drainage easement abandonment has been reviewed and approved by the City Engineer (**ATTACHMENT VI**).
- The attached ordinance will abandon and vacate the subject drainage easement.

Funding (if applicable):

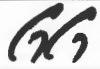
Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

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

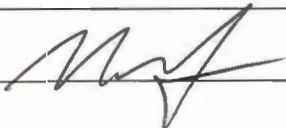
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

Attachment I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 299 499 loop Nearest Intersection _____
 (Proposed) Subdivision Name _____ Lot _____ Block _____
 Existing Zoning Designation GR Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent _____ Phone _____ FAX _____
 Email Address (for project correspondence only): espinosa nt@icloud.com
 Mailing Address 437 laucer lake City Brownsville State TX Zip 78521
 Property Owner _____ Phone _____ FAX _____
 Email Address (for project correspondence only): _____
 Mailing Address _____ City _____ State _____ Zip _____

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

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

Please provide a basic description of the proposed project: requesting abandonment
easement in the middle the property
299.5 loop 499 Harlingen

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

Applicant's Signature: _____ Date: _____
 Property Owner(s) Signature: Santiago Espinoza Date: 12-20-23
 Accepted by: _____ Date: _____



Attachment II

CENTERLINE DEVELOPMENT LLC

711 W. Tyler Ave.
P.O. Box 1148
Harlingen, Tx. 78551
(956)356-8592

EXHIBIT A

0.115 Acre
Drainage Easement Abandonment

Job No. 2930-23
December 04, 2023

METES AND BOUNDS DESCRIPTION

A 0.115 Acre Tract of land out of Lot 1, Block 1, Capps Addition, City of Harlingen, Cameron County, Texas as recorded in Cabinet 1, Slot 2761-A of the Map Records of Cameron County, Texas, said 0.115 Acre Tract being more particularly described by metes and bounds as follows:

COMMENCING at a point on the West right-of-way of Loop 499 (150' R.O.W.), said point being the Northeast corner of Capps Addition as recorded in Cabinet 1, Slot 2761-A of the Map Records of Cameron County, Texas; **THENCE**, South 00 Deg. 29 Min. 30 Sec. East, along the West right-of-way of Loop 499, a distance of 61.00 feet to a point for the Northeast corner and **POINT OF BEGINNING** of the tract herein described;

THENCE, South 00 Deg. 29 Min. 30 Sec. East, continuing along the West right-of-way of Loop 499, a distance of 20.00 feet to a point, for the Southeast corner of this tract;

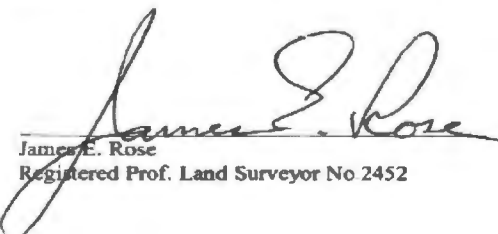
THENCE, South 89 Deg. 28 Min. 00 Sec. West, parallel with the North line of Capps Addition, a distance of 250.19 feet to a point on the West line of Capps Addition, for the Southwest corner of this tract;

THENCE, North 00 Deg. 32 Min. 00 Sec. West, with the West line of Capps Addition, a distance of 20.00 feet to a point, for the Northwest corner of this tract;

THENCE, North 89 Deg. 28 Min. 00 Sec. East, parallel with the North line of Capps Addition, a distance of 250.20 feet to the **POINT OF BEGINNING**.

CONTAINING 0.115 acre of land, more or less.

This metes and bounds description is accompanied a map **EXHIBIT B**, and both were prepared from Map Records and have not been recently surveyed on the ground.


James E. Rose
Registered Prof. Land Surveyor No 2452

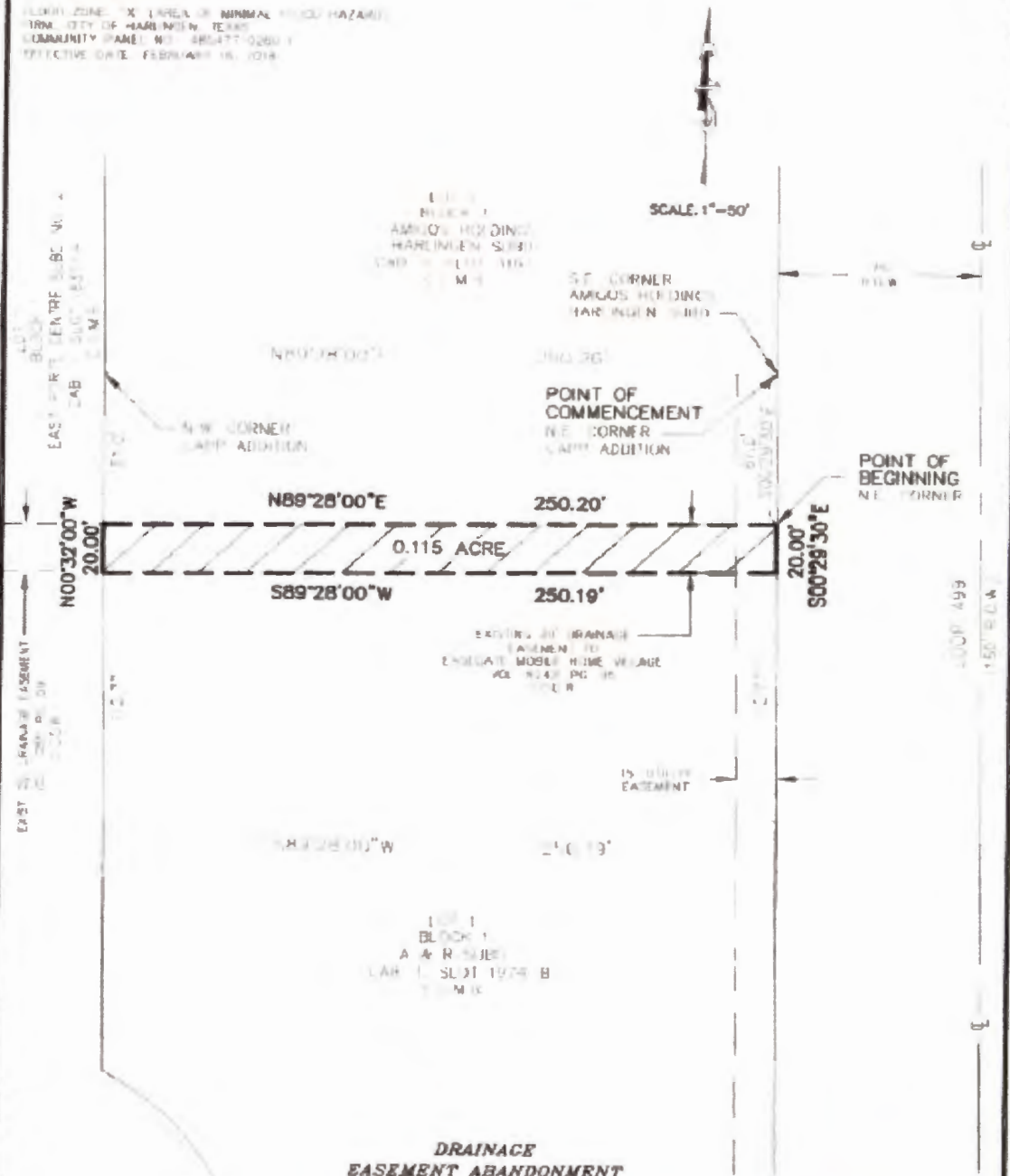
Date: 12/4/23



EXHIBIT B

BACKS OF BEARINGS
CAPPS ADDITION

FLOOD ZONE: "X" (AREA OF MINIMAL FLOOD HAZARD)
TOWN: CITY OF HARLINGEN, TEXAS
COMMUNITY (NAME) NO: 485477-0260
EFFECTIVE DATE: FEBRUARY 16, 2014



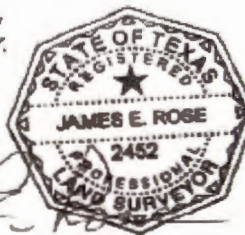
DRAINAGE EASEMENT ABANDONMENT

A 0.115 ACRE TRACT OF LAND, OUT OF LOT 1, BLOCK 1,
CAPPS ADDITION, CITY OF HARLINGEN, CAMERON COUNTY,
TEXAS AS RECORDED IN CABINET 1, SLOT 2781-A, OF
THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

CENTERLINE DEVELOPMENT LLC



711 W. Tyler Ave.
P.O. Box 1148
Harlingen, Tx 78551
(956)356-8592



James E. Rose
12/4/23

JOB NO. 4930 23

[illegible]

Attachment IV



Attachment V

View from the East on
Loop 499



Attachment VI

Joel Olivo

From: Luis A. Vargas
Sent: Monday, March 11, 2024 4:47 PM
To: Joel Olivo
Cc: Sol Nunez; espinosant@icloud.com
Subject: RE: Drainage Easement Abandonment
Attachments: Scan_0088.pdf

Joel,

The easement in question (see attachment) can be abandoned as there is not an existing drainage utility and there is no proposed drainage utility in said easement.
Thanks,



Luis Vargas, PE, CFM
City Engineer
City of Harlingen
24200 FM 509, Harlingen, TX 78550
Office: (956) 216-5223 Mobile: (956) 266-4311

From: Joel Olivo <jolivo@harlingentx.gov>
Sent: Thursday, December 21, 2023 11:32 AM
To: Luis A. Vargas <lvargas@harlingentx.gov>
Subject: Drainage Easement Abandonment

Luis,

Attached is an application submitted by Santiago Espinoza for the abandonment of a 20 ft. drainage easement on the property located on the west side of Loop 499 north of Harrison Avenue. Please review and advise on the request by Monday, January 8, 2024. Thanks in advance.

Joel Olivo
Assistant Planning and Development Director
City of Harlingen

ORDINANCE NO. 24-_____

AN ORDINANCE ABANDONING THE 20 FT. DRAINAGE EASMENT, BEING A 0.115 ACRE OF LOT 1, BLOCK 1, CAPPS ADDITION, LOCATED ON THE WEST SIDE OF LOOP 499 APPROXIMATELY 725 FEET NORTH OF HARRISON AVENUE

WHEREAS, a twenty (20) foot drainage easement being a 0.007 acre of land out of comprised of Lot 1, Block 1, Capps Addition, Cameron County, Texas; and

WHEREAS, a request has been made by Santiago Espinoza, which is the landowner for the subject lot which contains the drainage easement to be abandoned;

WHEREAS, the said drainage easement interferes with the future development of the subject property; and

WHEREAS, the City Commission finds and determines that it is in the interest of economic development to abandon the drainage easement: Now therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN

SECTION I: That the thirty (20) foot drainage easement located near the center of Lot 1, Block ,1 Capps Addition, Harlingen, Cameron County, Texas, according to the map recorded in Cabinet 1, Slot 2761-A of the Records of Cameron County, Texas is hereby abandoned and vacated, as shown on Exhibits A and B.

FINALLY ENACTED this _____ day of February, 2024 at a regular meeting of the 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 Elizondo, City Secretary

CENTERLINE DEVELOPMENT LLC

711 W. Tyler Ave.
P.O. Box 1148
Harlingen, Tx. 78551
(956) 356-8592

EXHIBIT A

0.115 Acre
Drainage Easement Abandonment

Job No. 2930-23
December 04, 2023

METES AND BOUNDS DESCRIPTION

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THENCE, South 00 Deg. 29 Min. 30 Sec. East, continuing along the West right-of-way of Loop 499, a distance of 20.00 feet to a point, for the Southeast corner of this tract;

THENCE, South 89 Deg. 28 Min. 00 Sec. West, parallel with the North line of Capps Addition, a distance of 250.19 feet to a point on the West line of Capps Addition, for the Southwest corner of this tract;

THENCE, North 00 Deg. 32 Min. 00 Sec. West, with the West line of Capps Addition, a distance of 20.00 feet to a point, for the Northwest corner of this tract;

THENCE, North 89 Deg. 28 Min. 00 Sec. East, parallel with the North line of Capps Addition, a distance of 250.20 feet to the **POINT OF BEGINNING**.

CONTAINING 0.115 acre of land, more or less

This metes and bounds description is accompanied a map **EXHIBIT B**, and both were prepared from Map Records and have not been recently surveyed on the ground.

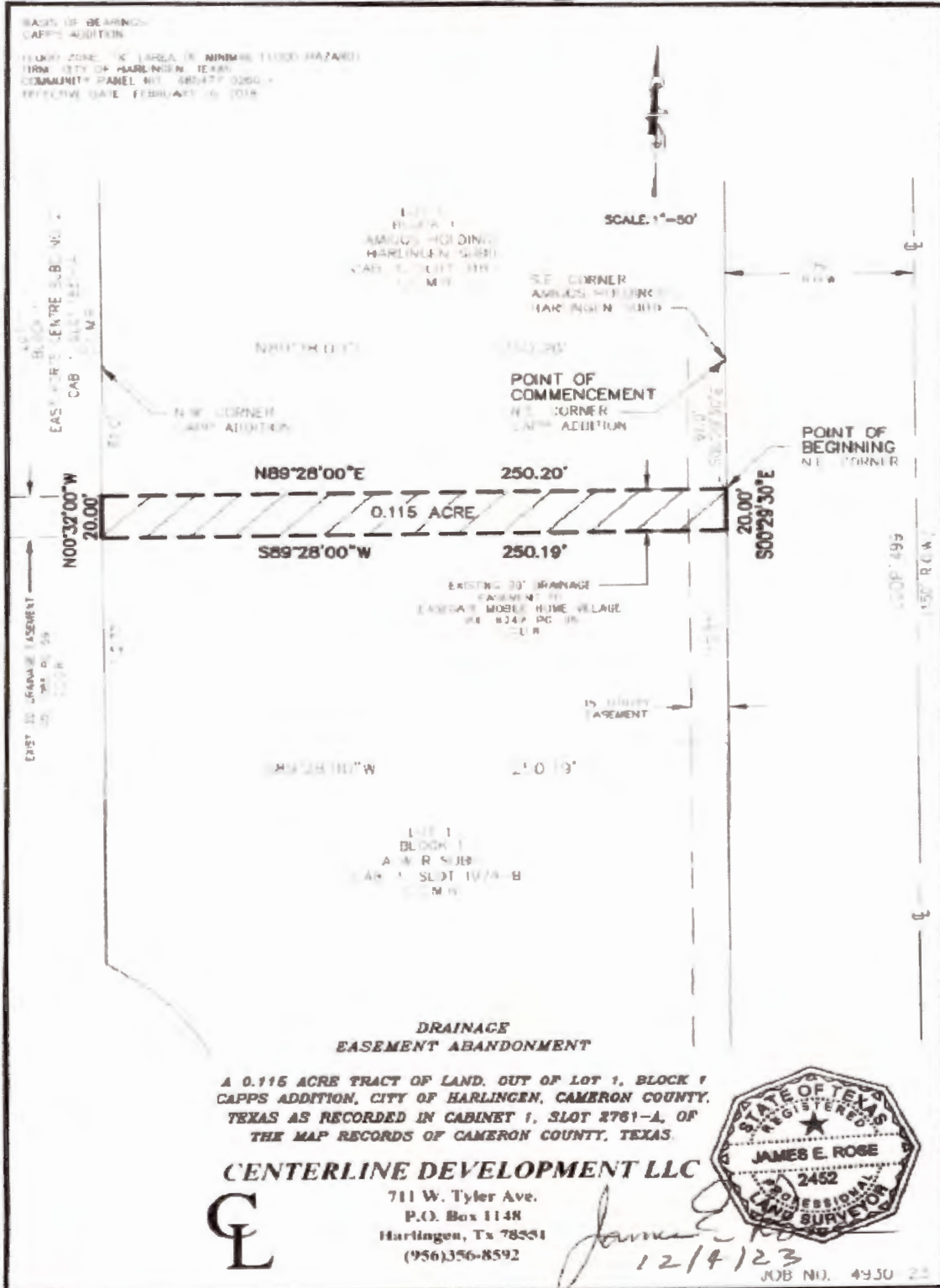
James E. Rose
Registered Prof. Land Surveyor No 2452

Date

12/4/23



EXHIBIT B



**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 2, 2024**

Agenda Item: Consideration and possible action to approve an ordinance on first reading regarding necessary water and sewer rate adjustments to provide for forecaster operating expenses, capital asset costs, and funding of Harlingen Waterworks System's Five-Year Capital Improvement Plan. Attachment (<i>HWWS</i>)
Prepared By: Tim Skoglund, General 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:  Comments:
City Attorney's approval:

ORDINANCE NO. 24-

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS AMENDING CHAPTER 18 AND CHAPTER 48 SECTIONS 48-97 AND 48-185 OF THE HARLINGEN CITY CODE AS AMENDED TO AMEND RATES FOR WATER AND SEWER SERVICE, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

Formatted

Commented [TS1]: Proposed, Revised wording

Sec. 48-97. – Standard water rates.

The standard water rates for all water service to each residential and nonresidential metered customer shall be as follows:

- 1) Monthly ready to serve charges and water commodity rates are found in the 5-year fee schedule in chapter 18 and will be effective on the first billing cycle of the indicated month and year.
- 2) Water commodity rates. The commodity water rate for each metered customer is per 1,000 gallons of water, but will be charged per 100 gallons of use. Rates are found in the city fee schedule in chapter 18.

Sec. 48-185. - Standard sewer rates.

The standard sewer rates for all sewer service to each residential and nonresidential metered customer shall be as follows:

- 1) Monthly ready to serve charges and sewer commodity rates are found in the 5-year fee schedule in chapter 18 and will be effective on the first billing cycle of the indicated month and year.
- 2) Sewer commodity rates. The sewer commodity rate for each metered customer is per 1,000 gallons of sewage, but will be charged per 100 gallons of use.

Chapter 18 – Fees

Section 48-97 – Standard water rates

Residential and Commercial Inside City Limits Ready to Serve Charges

Meter Size	Effective 24-May	Effective 25-Jan	Effective 26-Jan	Effective 27-Jan	Effective 28-Jan
5/8"	\$ 9.91	\$ 12.39	\$ 15.49	\$ 19.36	\$ 23.23
1"	13.16	17.16	22.34	29.04	34.85
1 1/2"	19.85	26.86	36.15	48.40	58.08
2"	43.35	56.77	74.20	96.80	116.16
3"	65.92	87.98	116.94	154.88	185.86
4"	192.55	305.02	461.68	677.61	813.13
6"	378.39	583.79	868.24	1,258.42	1,510.11
8"	746.45	1,200.27	1,834.35	2,710.45	3,252.54

Residential Inside City Limits Water Commodity Rates

			Effective 24-May	Effective 25-Jan	Effective 26-Jan	Effective 27-Jan	Effective 28-Jan
0	to	3,000	\$ 1.25	\$ 1.25	\$ 1.25	\$ 1.25	\$ 1.25
3,001	to	10,000	1.75	1.93	2.12	2.33	2.54
10,001	to	20,000	2.50	2.75	3.03	3.33	3.63
20,001	to	Above	3.00	3.30	3.63	3.99	4.35

Commercial Inside City Limits Water Commodity Rates

Volume Charge per 1,000 Gal	1.83	2.01	2.22	2.44	2.66
-----------------------------	------	------	------	------	------

Residential and Commercial Outside City Limits Ready to Serve Charges

Meter Size	Effective 24-May	Effective 25-Jan	Effective 26-Jan	Effective 27-Jan	Effective 28-Jan
5/8"	\$14.87	\$18.59	\$23.24	\$29.04	\$34.85
1"	19.74	25.74	33.51	43.56	52.28
1 1/2"	29.78	40.29	54.23	72.60	87.12
2"	65.03	85.16	111.30	145.20	174.24
3"	98.88	131.97	175.41	232.32	278.79
4"	288.83	457.53	692.52	1,016.42	1,219.70
6"	567.59	875.69	1,302.36	1,887.63	2,265.17
8"	1,119.68	1,800.41	2,751.53	4,065.68	4,878.81

Water Commodity Rates Outside City Limits

			Effective 24-May	Effective 25-Jan	Effective 26-Jan	Effective 27-Jan	Effective 28-Jan
0	to	3,000	\$ 1.88	\$ 1.88	\$ 1.88	\$ 1.88	\$ 1.88
3,001	to	10,000	2.63	2.90	3.18	3.50	3.81
10,001	to	20,000	3.75	4.13	4.55	5.00	5.45
20,001	to	Above	4.50	4.95	5.45	5.99	6.53

Section 48-185 – Standard sewer rates

Residential and Commercial Sewer Inside City Limits Ready to Serve Charges

Meter Size	Effective 24-May	Effective 25-Jan	Effective 26-Jan	Effective 27-Jan	Effective 28-Jan
5/8"	\$ 7.73	\$ 9.66	\$ 12.07	\$ 15.09	\$ 18.86
1"	11.80	14.75	18.44	23.05	28.81
1 1/2"	26.76	33.45	41.82	52.27	65.34
2"	32.21	40.27	50.33	62.92	78.64
3"	66.21	82.77	103.46	129.32	161.65
4"	168.25	210.31	262.89	328.61	410.77
6"	345.10	431.38	539.22	674.02	842.53
8"	549.16	686.45	858.07	1,072.58	1,340.73

Volume Rate Per 1,000 Gal Inside City Limits

Effective 24-May	Effective 25-Jan	Effective 26-Jan	Effective 27-Jan	Effective 28-Jan
\$4.06	\$4.47	\$4.92	\$5.41	\$5.89

Residential and Commercial Sewer Outside City Limits Ready to Serve Charges

Meter Size	Effective 24-May	Effective 25-Jan	Effective 26-Jan	Effective 27-Jan	Effective 28-Jan
5/8"	\$11.60	\$14.49	\$18.11	\$22.64	\$28.29
1"	17.70	22.13	27.66	34.58	43.22
1 1/2"	40.14	50.18	62.73	78.41	98.01
2"	48.32	60.41	75.50	94.38	117.96
3"	99.32	124.16	155.19	193.98	242.48
4"	252.38	315.47	394.34	492.92	616.16
6"	517.65	647.07	808.83	1,011.03	1,263.80
8"	823.74	1,029.68	1,287.11	1,608.87	2,011.10

Volume Rate Per 1,000 Gal Outside City Limits

Effective 24-May	Effective 25-Jan	Effective 26-Jan	Effective 27-Jan	Effective 28-Jan
\$6.09	\$6.71	\$7.38	\$8.12	\$8.84

FINALLY ENACTED THIS 2nd day of April 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 5511.

Norma Sepulveda, Mayor

I
ATTEST:

Amanda C. Elizondo City Secretary

109)

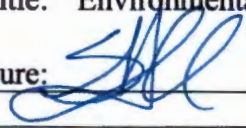
**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 2, 2024**

Agenda Item:

Consideration and possible action to approve the purchase of a Ford Transit Connect Van for the Harlingen Animal Shelter to transport animals to and from veterinarian clinics, offsite adoption events and foster homes when needed.

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

Signature: 

Brief Summary:

The City of Harlingen Health Department is seeking the approval from the City Commission to purchase a Ford Transit Connect Van for the Harlingen Animal Shelter. This vehicle will be used by staff to transport animals to and from the veterinarian clinics, offsite adoption events and foster homes when needed. This vehicle is currently the only one available in our area and the animal shelter is in need of it.

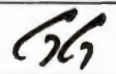
Funding (if applicable):

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

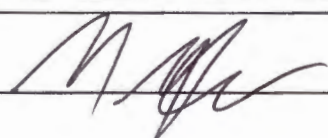
*If no, specify source of funding and amount requested:

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

Mayra Herrera

From: Shannon Harvill
Sent: Tuesday, March 26, 2024 1:50 PM
To: Mayra Herrera
Subject: FW: Similar Transit Connect
Attachments: Tax Exempt Forms Must be Provided.pdf; Smartphone.pdf

From: Ruth Trevino-Guajardo <rguajardo@harlingentx.gov>
Sent: Monday, March 25, 2024 4:56 PM
To: Josh Ramirez <jramirez@harlingentx.gov>; Shannon Harvill <sharvill@harlingentx.gov>
Cc: Christopher Torres <ctorres@harlingentx.gov>
Subject: FW: Similar Transit Connect

Good Afternoon,

Attached is a quote for a transit connect van. This is a cargo van with seats only in the front, the back is all cargo. Vendor is telling us that this is the only one available here in the valley and might not last long in their inventory.

Please advise if you would like for us to proceed with this purchase.



Thank you,

Ruth Trevino

Assistant Public Works Director
City of Harlingen – Public Works
404 S. 54th Street, Harlingen, Texas 78550
956-216-5300



From: Christopher Torres <ctorres@harlingentx.gov>
Sent: Monday, March 25, 2024 2:11 PM
To: Ruth Trevino-Guajardo <rguajardo@harlingentx.gov>
Subject: Fwd: Similar Transit Connect

FYI

Christopher D. Torres, CPM
Public Works Director

10(h)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 2, 2024**

Agenda Item: Consideration and possible action to approve an ordinance on first reading amending the Harlingen Code of Ordinances, Chapter 6. Animals, Article II, Administration and Enforcement, Division 1, and enacting Section 6-26, establishing a dedicated fund entitled "The Harlingen Animal Shelter Fund" in the City's Financial Management and Reporting System to account for all fines collected by the City resulting from the enforcement of certain animal control ordinances, and dedicating exclusive use of those city funds for the operation of 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:  Comments:
City Attorney's approval:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE HARLINGEN CODE OF ORDINANCES, CHAPTER 6, ANIMALS, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, DIVISION 1, AND ENACTING SECTION 6-26 ESTABLISHING A DEDICATED FUND ENTITLED "THE HARLINGEN ANIMAL SHELTER FUND" IN THE CITY'S FINANCIAL MANAGEMENT AND REPORTING SYSTEM TO ACCOUNT FOR ALL FINES COLLECTED BY THE CITY RESULTING FROM THE ENFORCEMENT OF CERTAIN ANIMAL CONTROL ORDINANCES, AND DEDICATING EXCLUSIVE USE OF THOSE CITY FUNDS FOR THE OPERATION OF THE HARLINGEN ANIMAL SHELTER.

WHEREAS, the City Commission of the City of Harlingen wishes to ensure that the Harlingen Animal Shelter is operated in a manner which provides for the humane treatment of animals in a manner which meets or exceeds all state standards but also at minimum burden on the Harlingen taxpayer, and

WHEREAS, the violations of Harlingen City Code relating to failure to restrain, vaccinate, microchip and shelter animals is the primary reason for animals ending up in the Harlingen Animal Shelter, and

WHEREAS, it is rational that the fines and fees collected by the city for violations of the Harlingen Animal Control Ordinances , after application of all offsets and charges due the State, be applied for the operation of the Harlingen Animal Shelter, and

WHEREAS, the City Commission wishes to provide a funding mechanism which can ensure that all fines collected by the City for the enforcement of Harlingen's animal control ordinances are accounted for, accumulated in a dedicated fund in the City's financial management and reporting system, and utilized to benefit the Harlingen Animal Shelter, and

WHEREAS, it be therefore prudent to create a dedicated fund which would ensure that all fines and fees collected by the City of Harlingen for enforcement of Harlingen City Code, Chapter 6, Animals, Article IV Animal Control (Division One through Three), (after application of all charges and deductions owed the State) , are utilized for that purpose.

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

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. The Harlingen Code of Ordinances is hereby amended to add CHAPTER 6, ANIMALS, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, DIVISION 1, SECTION 6-26 which shall provide as follows:

Section 6-26

A.) Creation of Dedicated Fund, Accounting and Reporting Requirements The Director of Finance shall establish a dedicated fund entitled the “Harlingen Animal Shelter Fund” in the City's financial management system into which, after deductions for all fees and monies owed the State of Texas, shall be deposited all fines and fees collected by the Harlingen Municipal Court arising from the enforcement of Harlingen City Code, Chapter 6, Animals, Article IV Animal Control (Division One through Three) and as to which he will make available a complete accounting of all fines and fees collected.

B.) Disbursement Authorization Requirements. The City Commission shall select and approve all funding for the Harlingen Animal Shelter which come from the Harlingen Animal Shelter Fund based on the list of priorities developed and recommended by the City Manager or his designee each year as part of the annual budget development and adoption process.

C.) Amendment of Conflicting Ordinances. All Ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or Ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 5. Savings Clause. All rights and remedies of the City of Harlingen are expressly saved as to any and all violations of the provisions of any Ordinances affecting rates, fees, and charges within the City which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance

but may be prosecuted until final disposition by the courts.

Section 6. Severability. If any section, subsection, sentence, or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected. It is the intent of the Harlingen City Commission in adopting this Ordinance, that no provision or regulation contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any other section, subsection, sentence or phrase of this Ordinance.

Section 7. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code.

Section 10. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on the SECOND READING on this the _____ day of April 2024.

Norma Sepulveda
Mayor, City of Harlingen

Attest

Amanda Elizondo, City Secretary