

**CITY COMMISSION
AGENDA
REGULAR MEETING
NOVEMBER 6, 2024
@ 5:30 PM
CITY HALL, TOWN HALL MEETING ROOM
2ND FLOOR, 118 E. TYLER AVENUE
HARLINGEN, TEXAS**

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **WEDNESDAY, NOVEMBER 6, 2024 at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 118 E. Tyler Avenue, Harlingen, Texas and provide the public the ability to view the meeting via internet live-streaming at www.harlingentx.gov and the City of Harlingen YouTube Page.

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

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

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

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

PLEASE SUBMIT WRITTEN COMMENTS BEFORE 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 Michael Mezmar
- b) Pledge of Allegiance
- c) Welcome Citizens

2) **Conflict of Interest**

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

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

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

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

- a) Harlingen Animal Shelter - "Pet of the Week"
- b) Mayor's Business of the Month - "Pepe's Mexican Restaurant"
- c) Recognition of Award - "Pooches Corner-15 Year Celebration"
- d) Proclamation - "National Animal Shelter Appreciation Week"

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 September 18, 2024
- b) Jt. Meeting of the EDC Board of Directors & City Commission - September 24, 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 adopt an ordinance on second and final reading for the adoption of the 2024 International Codes and the 2023 National Electrical Codes. Applicant: City of Harlingen. Attachment (**Planning & Development**)
- b) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District, located at 1826 W. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Storm Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. (**Planning & Development**)

- c) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District, located at 1837 Stuart Place Road, bearing a legal description of Lots 1 and 2, Block 1 North Star Business Center Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)
- d) Consideration and possible action to adopt an ordinance on second and final reading amending the City of Harlingen Code of Ordinances, Chapter 109, Subdivisions, Article VII, Cost Participation, Section 109-193(5), Park Land Dedication, Exemption, to add a provision which exempts non-profits that focus on affordable housing from paying park fees. Applicant: City of Harlingen. (**Planning & Development**)
- e) Consideration and possible action to approve the installation of speed humps in the following location(s) (**This item was requested by Commissioner Frank Morales and Mayor Pro-Tem Rene Perez**)
 - 1) 500 Block of West Lincoln St.
- 8) **Staff Reports and Other Discussion Items:** *Items in this section are not expected to require action by the City Commission and are generally for information only. However, any item listed in this section may become an action item with the request of the Mayor, or after the request of any two Commission members, or the City Manager.*
 - a) City Manager's Report
 - b) Staff Reports - Investment Report for the City of Harlingen for the quarter ending September 30, 2024, and for the year-ending September 30, 2024, by Robert Rodriguez, Finance Director.
- 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 the voluntary annexation of a 12.45-acre tract of land out of Block 68, Palmetal Company Subdivision, located along the north side of FM 106 approximately 1,295 feet east of FM 509. Applicant: Whiting Investments, LTD. Attachment (**Planning & Developments**)
 - b) Public hearing 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 2426 E. Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. Subdivision. Attachment (**Planning & Development**)
 - c) Public hearing for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District, located at 2305 W. Loop 499, bearing a legal description of Parts of Lots 1A, 1B, and 2A, and all of Lots 3A, 3B, and Lot 4, Block 4, Avondale Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)
 - d) Public hearing 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 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)

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

Ordinances:

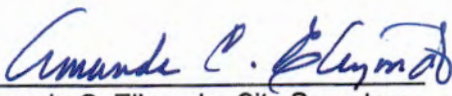
- a) Consideration and possible action to adopt an ordinance on first reading for the voluntary annexation of a 12.45-acre tract of land out of Block 68, Palmetal Company Subdivision, located along the North side of FM 106 approximately 1,295 feet east of FM 509. Applicant: Whiting Investments, LTD. Attachment (***Planning & Developments***)
 - b) Consideration and possible action to adopt an ordinance on first reading 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 2426 E. Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. Subdivision. Attachment (***Planning & Development***)
 - c) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District, located at 2305 W. Loop 499, bearing a legal description of Parts of Lots 1A, 1B, and 2A, and all of Lots 3A, 3B, and Lot 4, Block 4, Avondale Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (***Planning & Development***)
 - d) Consideration and possible action to adopt an ordinance on first reading 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 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (***Planning & Development***)
 - e) Consideration and possible action to approve an ordinance on first reading, amending Ordinance No. 10-37 to ensure full compliance with Chapter 2303 of the Texas Government Code. Attachment (***HEDC***)
-
- f) Consideration and possible action to approve the preliminary construction plans and final plat of the proposed Skyline District Subdivision, bearing a legal description of 10.13 acres of land out of Block 19, Cunningham's Subdivision, located at the southeast corner of Primera Road and US Expressway 77. Applicant: Moore Land Surveying, LLC c/o CJE Construction. Attachment (***Planning & Development***)
 - g) Consideration and possible action to approve the preliminary construction plans and final plat of the proposed Dixieland Crossing Subdivision, bearing a legal description of 9.65 acres of land out of Blocks 43, 44, and Canal ROW, Howard's Dixieland Heights #1 Subdivision, located along the southwest corner of Garrett and Dixieland Roads. Applicant: Moore Land Surveying, LLC c/o CJE Construction. Attachment (***Planning & Development***)
 - h) Consideration and possible action to approve a resolution establishing the 38th Annual Lighting of the Arroyo to be held on December 5, 2024, at McKelvey Park and request from TxDot a temporary partial road closure of Business 77 Sunshine Strip for the safety of the public during the event from 5:00 p.m. to 10:00 p.m. and authorize the city manager to sign the agreement. Attachment (***Parks & Recreation***)
 - i) Consideration and possible action to approve the proposed list of streets for the 2025 Street Improvement Program Project. Attachment (***Engineering***)
 - j) Consideration and possible action to authorize the filing of an application for financial assistance with the Texas Water Development Board for funding the construction of Priority Wastewater Capital Improvement Projects. Attachment (***HWWS***)

- k) Presentation on FY 23-24 Program of Work year-end report and consideration of approval of Program of Work For FY 24-25. Attachment (**Orlando Campos**)
 - l) Consideration and possible action to allocate \$1,000,000 from the HOT Fund Balance for the Casa Del Sol Renovation Project. Attachment (**This item was tabled at the Regular City Commission Meeting of October 21, 2024**) (**City Manager**)
- 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 (Ad Hoc)
Civil Service Commission
Community Development Advisory Board (2)
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement Board
Golf Course Advisory Board
Harlingen Community Improvement Board
Harlingen Housing Authority Board
Harlingen Finance Corporation (6)
Harlingen Teen and Young Adult Advisory Board (2)
Healthy Harlingen Advisory Board
Keep Harlingen Beautiful Board
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board (2)
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 the following projects:
 - 1) Project Beach
 - 2) Project Emerald Green
 - 3) Project Distillery
 - 4) Project Spec Building III
 - b) Pursuant to Government Code Section 551.072-attorney consultation regarding the sale/purchase of Real Estate. (**City Manager**).

- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*
- a) Consideration and possible action on Items 12(a) 1,2,3,& 4, as discussed in executive session.
- b) Consideration and possible action on Item 12(b), 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 FRIDAY, NOVEMBER 1, 2024 at or before 2:35 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 1ST day of NOVEMBER, 2024


Amanda C. Elizondo, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

A Regular Meeting of the Harlingen City Commission was held September 18, 2024, at 5:30 p.m., at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas, and providing the public the ability to view the meeting via 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:

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

- a) Invocation – Commissioner Ford Kinsley
- b) Pledge of Allegiance – Mayor Sepulveda
- c) Welcome Citizens – Mayor Sepulveda

2. Conflict of Interest

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

Mark Sossi, City Attorney, read the conflict of interest and asked the Mayor and City Commissioners if they had a conflict on any item on the agenda.

Commissioner Kinsley abstained from Item 7 (I) Consent Agenda.

Mayor Pro-Tem Perez abstained from Item 7 (a) Consent Agenda.

3. Announcements:

- a) Mayor's Announcements - None
- b) City Manager's Announcements

. I thanked Public Works, Parks and Recreation, and the Downtown Improvement District Staff for the successful event at the Lucha Libre and Fiesta de Piñatas, which was held Friday and Saturday before Sunday's heavy rains.

- c) City Commission Member Announcements

- Commissioner Kinsley stated that he, along with Commissioner Morales, attended a promotion ceremony today at the Harlingen Police Department, where Martina Rodriguez was promoted to Sargent, Guillermo Cavazos was promoted to Commander, and Charles Feckner was promoted to Deputy Chief. As someone who has spent 30 years of my life in the service, I appreciate what they do, along with all those first responders who are here this evening. Congratulations, and thanks to all of you.

3. **Proclamation/Presentation of Awards**

a) **Animal Shelter – Pet of the Week**

Shannon Harvill, Health Director, introduced "Lady," a two-year-old female pit bull who is current with all her vaccines, good with kids (5 years and older), and good around other dogs. Lady is currently learning some new commands and is looking for a home. Aside from Lady, the previous dog, "Monty," who was introduced two weeks ago at the city commission meeting, was adopted.

b) **USTA Outstanding Facility Award to HEB Tennis Center**

Javier Mendez, Parks, and Recreation Director stated they were very honored to receive this recognition through the United States Tennis Association (U.S.T.A.); there were 41 participants that got awards throughout the U.S. and two facilities in Texas - we were one of them. The facilities were judged on the layout, the adaptation to the site, the court surfaces, lighting, ease and maintenance, accommodations for players, the spectators, and press office officials, aesthetics, graphics, etc. We were nominated for the public courts, which are the large tennis centers. We were fortunate to be able to travel to New York to receive the award.

Mr. Mendez introduced the new Assistant Park Director, Juan Mendiola, III, who started with the City of Harlingen a week ago, and I look forward to working with him.

c) **Mayor's Business of the Month – Gulf Aviation**

Arlene Garza, Owner, stated they are a 100% woman-owned minority small business in Harlingen and our partners on the airfield with Valley International Airport. This company was started 45 years ago by her father, David Garza, and I am proud to continue the family legacy. I want to thank the City of Harlingen, the City Commission, and Valley International Airport for allowing us to have small businesses.

d) **Proclaiming the Week of October 6-12, 2024, as "Fire Prevention Week".**

Juan Saucedo Jr., Deputy Fire Chief, stated that every June, the National Fire Protection Association (N.F.P.A.) provides us with a theme on issues of great importance. We need to take time to test the smoke alarms to ensure they are in working condition. We need to remind the public throughout the year to make sure the smoke alarms and batteries are working. During the month of October, the Firefighters, especially during Fire Prevention Week, go out to the community and schools to educate them.

5. **Citizen Communication:**

- Raymond Reyes – 706 Nantucket Drive, Harlingen, TX – Utilization of current tax resources.
- Rakesh Patel – 1002 S. Expressway 83, Harlingen, TX - Casa del Sol Expenditures.
- R. Frank Lozano - 218 E. Austin Ave., Harlingen, TX – Item 10 (h) tax increase
- Rudy Coronado - 2002 White Tail Drive, Harlingen, TX – Animal Shelter.
- Desi Martinez - 1806 Haverford Blvd., Harlingen, TX – Items 10 (G, J, L & W)
- Robert Leftwich - 909 E Parkwood St., Harlingen, TX - Shelter and taxes.
- Lorraine Galarza - 210 E. Linda St., Harlingen, TX - Increase in taxes and flooding.

6. **Approval of Minutes:**

- Special Meeting of June 28, 2024
- Regular Meeting of July 17, 2024

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Lopez to approve the Special Meeting of June 28, 2024, and Regular Meeting of July 17, 2024. Motion carried unanimously.

7. Consent Agenda:

- a) Consideration and possible action to approve a request from Harlingen High School Student Council to close the following streets: 900 Block of Marshall Avenue; Intersection of 7th Street and 9th Streets, Wednesday, October 23, 2024, from 6:00 p.m. to 7:30 p.m. for their High School Homecoming Parade.
- b) Consideration and possible action to approve a modification of the date and time for the annual Jackson Street Classic Car Show initially scheduled for October 12, 2024, to the new date of Saturday, October 26, 2024, from 7:00 a.m. to 3:00 p.m. This item was approved on August 7, 2024, for the street closures listed below.
- Jackson Avenue between Commerce Avenue and 4th Street (alleyway to alleyway)
- c) Consideration and possible action to adopt an ordinance on the second and final reading for a Special Use Permit to allow an adult business (smoke shop) in a General Retail ("GR") District located at 401 S. 77 Sunshine Strip, Suite E, bearing a legal description of the east 10 feet of Lot 1 and all of Lots 2-6, Windsor Place Subdivision. Applicant: Mohamed Alraishani.

ORDINANCE NO. 24-49

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO ALLOW AN ADULT BUSINESS (SMOKE SHOP) IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 401 S. 77 SUNSHINE STRIP, SUITE E, BEARING A LEGAL DESCRIPTION OF THE EAST 10 FEET OF LOT 1 AND ALL OF LOTS 2-6, BLOCK 3, WINDSOR PLACE SUBDIVISION. APPLICANT: MOHAMED ALRAISHANI.

PASSED AND APPROVED on first reading this the 4th day of September 2024

PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

- d) Consideration and possible action to adopt an ordinance on the second and final reading for a Special Use Permit to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1601 S. 77 Sunshine Strip, Suite D, bearing a legal description of Lots 22 & 23, Block 11, Arroyo Estates Subdivision. Applicant: Mohamed Alraishani.

ORDINANCE NO. 24 - 50

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO ALLOW AN ADULT BUSINESS (SMOKE SHOP) IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 1601 S. 77 SUNSHINE STRIP, SUITE D, BEARING A LEGAL DESCRIPTION OF LOTS 22 & 23, BLOCK 1, ARROYO ESTATES SUBDIVISION. APPLICANT: MOHAMED ALAISHANI.

PASSED AND APPROVED on first reading this the 4th day of September 2024

PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

- e) Consideration and possible action to adopt an ordinance on the second and final reading amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Article V, Standards and Specifications, Section 109-124 (F), Sidewalks, by amending the timeframe for the utilization of the sidewalk escrow funds to fill sidewalk gaps in residential developments. Applicant: City of Harlingen.

ORDINANCE NO. 24- 51

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 109, SUBDIVISIONS, ARTICLE V, STANDARDS AND SPECIFICATIONS, SECTION 109-124 (F), SIDEWALKS, BY AMENDING THE TIME FRAME FOR THE UTILIZATION OF THE SIDEWALK ESCROW FUNDS TO FILL SIDEWALK GAPS IN RESIDENTIAL DEVELOPMENTS, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 4th day of September 2024

PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

- f) Consideration and possible action to approve an ordinance on second and final reading, amending Chapter 18, Master Fee Schedule of the Harlingen Code of Ordinances, to allow for the retroactive waiving of adoption fees for National Dog Day (August 26, 2024) and to establish an annual occurrence of waiving adoption fees at the Harlingen Animal Shelter on National Dog Day, National Pet Day, National Cat Day, and National Adopt a Shelter Pet Day. (This item was requested by Mayor Pro-Tem Rene Perez and Commissioner Daniel N. Lopez)

ORDINANCE NO. 24-52

AN ORDINANCE OF THE CITY OF HARLINGEN AMENDING CHAPTER 18, MASTER FEE SCHEDULE TO ALLOW FOR THE RETROACTIVE WAIVING OF ADOPTION FEES FOR NATIONAL DOG DAY (AUGUST 26, 2024) AND TO ESTABLISH AN ANNUAL OCCURRENCE OF WAIVING ADOPTION FEES AT THE HARLINGEN ANIMAL SHELTER ON NATIONAL DOG DAY, NATIONAL PET DAY, NATIONAL CAT DAY, AND NATIONAL ADOPT A SHELTER PET DAY.

PASSED AND APPROVED on first reading this the 4th day of September 2024

PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

- g) Consideration and possible action to approve a request from the Harlingen Housing Authority to close the entrance at 1400 W. Pierce Avenue at the Los Vecinos Apartments (702 South "M" Street), Thursday, October 24, 2024, from 1:00 p.m. to 7:00 p.m. for their Community Fall Festival.
- h) Consideration and possible action to approve a request from the Downtown District to close the following streets for the Annual Trunk and Treat Event on Saturday, October 26, 2024, from 4:00 p.m. to 11:00 p.m.
- Eastside Intersections of Jackson Avenue and "E" Street
 - Southside Intersections of 100 Block of North "C" and "D" Streets and alleyway
 - Northside Intersections of the 100 Block of South "C" and "D" Streets and alleyway
 - Westside Intersection of Jackson Avenue and West Street
- i) Consideration and possible action to approve a request for the Parks & Recreation Department to close the following streets on Thursday, October 31, 2024, from 4:00 p.m. to 9:00 p.m. for the city's 4th Annual Trail of Treats Event.
- North "L" Street and Fair Park Boulevard
 - North "J" Street and Fair Park Boulevard
- j) Consideration and possible action to approve a grant of \$50,000.00 to Loaves and Fishes to assist with financial expenses incurred from assistance provided to immigrants in Harlingen.
- k) Consideration and possible action to approve an agreement with Loaves and Fishes to provide meals for the homeless and needy through their kitchen and food pantry.
- l) Consideration and possible action to approve an agreement with the Marine Military Academy for the use of Hotel Motel Funds to promote tourism by maintaining the Iwo Jima Monument.

- 1 m) Consideration and possible action to approve an agreement with the Rio Grande Valley Birding Festival for
2 the use of Hotel Motel Funds to promote tourism through the Annual Birding Festival.
3
4 n) Consideration and possible action to approve an agreement with the Harlingen Performing Arts Theatre to
5 use Hotel and Motel Funds to promote the arts.
6
7 o) Consideration and possible action to approve the installation of speed humps in the following locations:
8 (This item was requested by Commissioner Daniel N. Lopez and Commissioner Ford Kinsley)
9
10 . East Washington/North 5th Street
11 . 1200 West Monroe Street
12 . 1600 E. Van Buren
13

14 Mayor Pro-Tem Perez abstained from Item 7 (a)

15 Commissioner Kinsley abstained from Item 7 (l).

16
17 Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to approve
18 Agenda Items 7(b through k), and Items 7 (m through n). Motion carried unanimously.
19

20 Motion was made by Commissioner Kinsley and second by Commissioner Lopez to approve Item 7
21 (a). Motion carried as follows: FOR: Lopez, Mezmar, Morales, Kinsley; AGAINST: None; ABSTAINED:
22 Mayor Pro-Tem Perez. (Vote: 4-0-1)
23

24 Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve
25 Item 7 (l). Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners, Lopez, Mezmar,
26 Morales; AGAINST: None; ABSTAINED: Commissioner Kinsley. (Vote: 4-0-1)
27

28 Mayor Pro-Tem Perez requested to revise Item 7 (o) to add street humps between Bass Blvd. and
29 North Vista del Sol.
30

31 Motion was made by Commissioner Lopez and seconded by Commissioner Morales to approve
32 Item 7 (o); subject to the addition made by Mayor Pro-Tem Perez. Motion carried unanimously.
33

34 **8. Staff Reports and Other Discussion Items:**
35

- 36 a) City Manager's Report—Staff will present at the next City Commission Meeting to discuss the issues
37 with the most recent rain activity and allow discussion between the commission and staff.
38
39 b) Staff Reports - None
40

41 **9. Public Hearings:**
42

43 Mayor Sepulveda announced that Item 9 (a thru f) was a public hearing, and anyone wishing to speak
44 for or against these items could do so.
45

- 46 a) Public hearing for a Special Use Permit ("SUP") to allow an adult business (tattoo studio) in a General Retail
47 ("GR") District located at 117 E. Porte Court, Suite #1, bearing a legal description of Lot 5, Block 1, East
48 Porte Center Subdivision. Applicant: Gabriel Vargas.
49
50 . None for Item 9 (a), Mayor Sepulveda closed the public hearing.
51
52 b) Public hearing for a rezoning request from Residential, Single Family ("R-1") District to Neighborhood
53 Services ("NS") District for 1.73 acres of land out of Block 6, Section 297, Stuart Place Resubdivision,
54 located on the southeast corner of Stuart Place and Brennaman Roads. Applicant: Moore Land Surveying,
55 LLC c/o Zarate Home Designs, LLC.
56
57 . None for Item 9 (b), Mayor Sepulveda closed the public hearing.
58

- c) Public hearing amending the City of Harlingen Code of Ordinances, Chapter 34, Offenses and miscellaneous Provision, Article V, Offenses involving public peace and order, Section 34-114, Noise Disturbances, by adding a provision which exempts properties located within an industrial zone or land use from the noise regulations. Applicant: City of Harlingen.
- . None for Item 9 (c), Mayor Sepulveda closed the public hearing.
- d) Public hearing for the voluntary annexation request of an 8.36-acre tract of land legally described as Lot 1, Block 2, Georgette Subdivision, located at the southwest corner of Bass Boulevard and Johnston Lane. Applicant: Georgina and Saul Gonzalez.
- . None for Item 9 (d), Mayor Sepulveda closed the public hearing.
- e) Public hearing for the voluntary annexation request of a 56.45-acre tract out of Survey 295, Stuart Place Subdivision, located along the South side of Garrett Road, approximately 650 feet east of Altas Palmas Road. Applicant: Javier Hinojosa c/o Carlos Snively.
- . None for Item 9 (e), Mayor Sepulveda closed the public hearing.
- f) Public hearing for a substantial amendment to the City of Harlingen's 2023-2024 One Year Action Plan in the amount of \$39,000 from Vestal Park Lighting Phase III (an existing activity) to Vestal Park Improvements (a new activity).
- . None for Item 9 (f), Mayor Sepulveda closed the public hearing.

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

10. Action Items:

Ordinances

- a) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit ("SUP") to allow an adult business (tattoo studio) in a General Retail ("GR") District located at 117 E. Porte Court, Suite #1, bearing a legal description of Lot 5, Block 1, East Porte Center Subdivision. Applicant: Gabriel Vargas.

Mr. Xavier Cervantes, Planning and Zoning Director, stated that the proposed business would be located off Loop 499, behind the Dairy Queen. We received no opposition, and the Planning and Zoning Commission recommended approval unanimously.

Motion was made by Commissioner Kinsley and seconded by Mayor Pro-Tem Perez to adopt an ordinance on first reading for a Special Use Permit ("SUP") to allow an adult business (tattoo studio) in a General Retail ("GR") District located at 117 E. Porte Court, Suite #1, bearing a legal description of Lot 5, Block 1, East Porte Center Subdivision. Motion carried unanimously.

- b) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Single Family ("R-1") District to Neighborhood Services ("NS") District for 1.73 acres of land out of Block 6, Section 297, Stuart Place Resubdivision, located on the southeast corner of Stuart Place and Brennaman Roads. Applicant: Moore Land Surveying, LLC c/o Zarate Home Designs, LLC.

Mr. Cervantes notified the City Commission that the applicant withdrew Item 10 (b) and will apply later this year or possibly early next year.

- c) Consideration and possible action to adopt an ordinance on first reading to amend the City of Harlingen Code of Ordinances, Chapter 34, Offenses and Miscellaneous Provision, Article V, Offenses involving public peace and order, Section 34-114, Noise Disturbances, by adding a provision which exempts properties located within an industrial zone or land use from the noise regulations. Applicant: City of Harlingen.

Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to adopt an ordinance on first reading to amend the City of Harlingen Code of Ordinances, Chapter 34, Offenses and Miscellaneous Provision, Article V, Offenses involving public peace and order, Section 34-114, Noise Disturbances, by adding a provision which exempts properties located within an industrial zone or land use from the noise regulations. Motion carried unanimously.

- d) Consideration and possible action to adopt an ordinance on the second and final reading for the voluntary annexation request of an 8.36-acre tract of land legally described as Lot 1, Block 2, Georgette Subdivision, located at the southwest corner of Bass Boulevard and Johnston Lane. Applicants: Georgina and Saul Gonzalez.

ORDINANCE NO. 24 - 53

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE AN 8.36 ACRE TRACT LEGALLY DESCRIBED AS LOT 1, BLOCK 2, GEORGETTE SUBDIVISION, LOCATED AT THE SOUTHWEST CORNER OF BASS BOULEVARD AND JOHNSTON LANE, BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING AN ANNEXATION SERVICES AGREEMENT, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

PASSED AND APPROVED on first reading this the 4th day of September 2024

PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Mezmar to adopt an ordinance on second and final reading for the voluntary annexation request of an 8.36-acre tract of land legally described as Lot 1, Block 2, Georgette Subdivision, located at the southwest corner of Bass Boulevard and Johnston Lane. Motion carried unanimously.

- e) Consideration and possible action to adopt an ordinance on the second and final reading for the voluntary annexation request of a 56.45-acre tract of land out of Survey 295, Stuart Place Subdivision, located along the South side of Garrett Road, approximately 650 feet east of Altas Palmas Road. Applicant: Javier Hinojosa c/o Carlos Snavelly.

ORDINANCE NO. 24 - 54

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE A 56.45 ACRE TRACT OF LAND OUT OF SURVEY 295, STUART PLACE SUBDIVISION, LOCATED ALONG THE SOUTH SIDE OF GARRETT ROAD APPROXIMATELY 650 FEET EAST OF ALTAS PALMAS ROAD, BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING AN ANNEXATION SERVICES AGREEMENT, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PASSED AND APPROVED on first reading this the 4th day of September 2024

PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Kinsley to adopt an ordinance on second and final reading for the voluntary annexation request of a 56.45-acre tract of land out of Survey 295, Stuart Place Subdivision, located along the South side of Garrett Road approximately 650 feet east of Altas Palmas Road. Motion carried unanimously.

- f) Consideration and possible action to adopt an ordinance on the second and final reading amending the City of Harlingen Code of Ordinances, Chapter 38, Solid Waste, Article II, Collection and Disposal, Section 38-29 Heavy Bulky Waste Collections, by clarifying the date and location to place bulky items for collection Section 38-31, Duty to Provide Receptacles; Specifications, by clarifying the size of the receptacle for single-family residential; Section 38-33, Receptacles to be Accessible to Collectors, by

clarifying the accessibility of the placement of the garbage container; and Section 38-39 Tree Limbs, Brush Trimmings, and the Like; Collection; by clarifying the date and location for brush to be placed on city right-of-way for collection services. Applicant: City of Harlingen.

ORDINANCE NO. 24 - 55

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 38, SOLID WASTE, ARTICLE II, COLLECTION AND DISPOSAL, SECTION 38-29, HEAVY BULKY WASTE COLLECTIONS, BY CLARIFYING THE DATE AND LOCATION TO PLACE BULKY ITEMS FOR COLLECTION; SECTION 38-31, DUTY TO PROVIDE RECEPTACLES; SPECIFICATIONS, BY CLARIFYING THE SIZE OF THE RECEPTACLE FOR SINGLE-FAMILY RESIDENTIAL; SECTION 38-33, RECEPTACLES TO BE ACCESSIBLE TO COLLECTORS BY CLARIFYING THE ACCESSIBILITY OF THE PLACEMENT OF THE GARBAGE CONTAINER; AND SECTION 38-39, TREE LIMBS, BRUSH TRIMMINGS, AND THE LIKE; COLLECTION BY CLARIFYING THE DATE AND LOCATION FOR THE BRUSH TO BE PLACED ON CITY RIGHT-OF-WAY FOR COLLECTION SERVICES; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 4th day of September 2024

PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

Commissioner Mezmar asked how the citizens would be notified of these changes.

Mr. Cervantes noted that at the last city commission meeting, it was agreed that social media would be utilized, door hangers would be placed, and courtesy notices would be made for the citizens to comply.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to adopt an ordinance on the second and final reading amending the City of Harlingen Code of Ordinances, Chapter 38, Solid Waste, Article II, Collection and Disposal, Section 38-29 Heavy Bulky Waste Collections, by clarifying the date and location to place bulky items for collection Section 38-31, Duty to Provide Receptacles; Specifications, by clarifying the size of the receptacle for single-family residential; Section 38-33, Receptacles to be Accessible to Collectors, by clarifying the accessibility of the placement of the garbage container; and Section 38-39 Tree Limbs, Brush Trimmings, and the Like; Collection; by clarifying the date and location for the brush to be placed on city right-of-way for collection services. Motion carried unanimously.

- g) Consideration and possible action to approve an ordinance on the second and final reading adopting the City of Harlingen's Budget for Fiscal Year 2025 by record vote.

ORDINANCE NO. 24 - 56

AN ORDINANCE ADOPTING THE REVENUE AND EXPENDITURE BUDGET FOR THE CITY OF HARLINGEN, TEXAS, FOR THE FISCAL YEAR, OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025. PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 4th day of September 2024

PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Kinsley to approve the ordinance on second and final reading adopting the City of Harlingen's Budget for Fiscal Year 2025 by record vote. Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners Kinsley, Lopez, Mezmar, Morales; AGAINST: None; ABSTAINED: None (Vote: 5-0-0)

- h) Consideration and possible action to approve an ordinance on the second and final reading adopting the Tax Year 2024 Ad Valorem Tax Rate for Maintenance and Operations (M&O) and the Interest and Sinking (I&S) Rate for Fiscal Year 2025 by record vote.

ORDINANCE NO. 24 - 57

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND TERMINATING SEPTEMBER 30, 2025; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 4th day of September 2024
PASSED AND APPROVED on the second and final reading this the 18th day of September 2024.

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

CITY OF HARLINGEN
/s/ Norma Sepulveda, Mayor

Motion was made by Commissioner Kinsley and seconded by Mayor Pro-Tem Perez to approve the ordinance on the second and final reading adopting the Tax Year 2024 Ad Valorem Tax Rate for Maintenance and Operations (M&O) Tax Rate: 0.453628% per \$100 for Fiscal Year 2025 by record vote. Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners: Kinsley, Mezmar and Lopez; AGAINST: Commissioner Morales; ABSTAINED: None. (Vote: 4-1-0)

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Mezmar to approve the ordinance on second and final reading adopting the Interest and Sinking (I&S) Rate of 0.073896% per \$100 for Fiscal Year 2025 by record vote. Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners: Kinsley, Lopez, Mezmar, Morales; AGAINST: None; ABSTAINED - None. (Vote: 5-0-0).

Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to increase the property tax rate by adopting a Tax Rate of 0.527524% per \$100 which is a 5.57% increase in the tax rate. Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners Kinsley, Lopez, Mezmar; AGAINST: Commissioner Morales; ABSTAINED - None. (Vote: 4-1-0).

- i) Consideration and possible action to approve a resolution adopting the Harlingen Community Improvement Board Budget for Fiscal Year 2024-2025.

Robert Rodriguez, Finance Director, stated that Total Revenue was \$2,510,000, and Total Expenditures were \$2,449,428.00. The 4B Board met on August 5, 2024, and recommended approval of the budget.

Commissioner Mezmar asked how many dogs would be neutered with the \$200,000.

Mr. Gonzalez responded that approximately 1,100 animals would be neutered.

Commissioner Mezmar stated that the animal shelter is becoming a money pit, a black hole into which we toss money, which is an improper use of money.

Mr. Gonzalez stated that this money was approved about 8 months ago. Two public hearings were required, and the public hearing notices had to be published in the newspaper for 60 days. The resolution was to approve the budget for the upcoming fiscal year, which set aside funding for some of the upcoming obligations, and it was the only project they approved.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Lopez to approve a resolution adopting the Harlingen Community Improvement Board Budget for Fiscal Year 2024-2025. Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners: Lopez, Kinsley; AGAINST: Commissioners Mezmar and Morales; ABSTAINED: None. (Vote: 3-2-0)

- j) Consideration and possible action to approve a resolution ratifying the property tax reflected in the adopted budget for Fiscal Year 2025.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Lopez to approve a resolution ratifying the property tax reflected in the adopted budget for Fiscal Year 2025. Motion carried unanimously.

- k) Consideration and possible action to declare the itemized list of Non-Real Estate Personal Property as Surplus Personal Property, as recommended by staff, authorize City personnel to conduct a virtual online public auction of said property on Saturday, October 12, 2024.

Motion was made by Commissioner Lopez and seconded by Commissioner Mezmar to declare the itemized list of Non-Real Estate Personal Property as Surplus Personal Property, as recommended by staff and authorize city personnel to conduct a virtual online public auction of said property on Saturday, October 12, 2024. Motion carried unanimously.

- l) Consideration and possible action to establish a Steering Ad-Hoc Committee for the Comprehensive Parks and Downtown Master Plans.

Mr. Xavier Cervantes, Planning and Zoning Director, stated staff had begun planning the Comprehensive Plan, Parks, and Downtown Master Plan with the consultants. A steering committee is necessary to meet and guide the process. The proposal calls for two members from the City Commission, Planning and Zoning Commission, Parks and Recreation, and the Downtown Improvement Board.

Commissioners Kinsley and Lopez indicated they would like to be part of the steering committee.

Mr. Gonzalez stated that staff should serve in the capacity of an ex-officio, including Mr. Cervantes, the DID Manager, the Parks and Recreation Director, and himself. They would have to post a notice of the meeting with the intent to participate in case of a quorum.

Commissioner Lopez made a motion, seconded by Commissioner Kinsley, to establish a Steering ad Hoc Committee for the Comprehensive Parks and Downtown Master Plans, with Commissioner Kinsley, Lopez, and Mayor Sepulveda representing the city. The motion carried unanimously.

- m) Consideration and possible action to approve a substantial amendment to the City of Harlingen 2023-2024 One-Year Action Plan for \$39,000.00 from Vestal Park Lighting Phase III (an existing activity) to Vestal Park Improvements (a new activity).

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve a substantial amendment to the City of Harlingen 2023-2024 One Year Action Plan for \$39,000.00 from Vestal Park Lighting Phase III (an existing activity) to Vestal Park Improvements (a new activity). Motion carried unanimously.

- n) Consideration and possible action to approve the recommendations of the Community Development Advisory Board to fund HOME-ARP Supportive Services.

Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to approve the recommendations of the Community Development Advisory Board to fund the HOME-ARP Supportive Services. Motion carried unanimously.

- o) Consideration and possible action to execute a renewal Service Agreement with the University of Texas Health Science Center at Houston to implement the "Tu Salud Si Cuenta" Program to promote healthy lifestyles and health-changing lifestyle courses for city residents and authorize the City Manager to sign the contract.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to execute a renewal Service Agreement with the University of Texas Health Science Center at Houston to implement

the "Tu Salud Si Cuenta" Program, aimed to promote healthy lifestyles and health-changing lifestyle courses for city residents and authorize the City Manager to sign the contract. Motion carried unanimously.

- p) Consideration and possible action to approve a request from the Harlingen Parks and Recreation Department to close portions of the following trails: Arroyo Colorado Hike and Bike Trail, Henry Roberts Loop, Arroyo Delta, Comal, and Olmos Trail, and a portion of the Frank Boggus Memorial Trail for the "Showdown at the Arroyo", October 12th and 13th, 2024.

Mr. Mendez stated that the city received a request to close portions of the trail mentioned above to hold the "Showdown at the Arroyo Park." We appreciate VORBA (Valley Off Road Bicycling Association) picking Harlingen to host this race, which is the only mountain bike race in this series south of San Antonio, Texas. We also appreciate the help in building the trails and bringing this event back to Harlingen for the third year.

David Hernandez, Founder and Director of Valley Off-Road Bicycling Association, (VORBA) stated that about 200 to 300 racers will participate in this event. About 200-300 racers/riders from Mexico and surrounding states will participate in the race, with the possibility of a higher number and a bigger turnout. This event will be live-streamed using "Real Sports Live." It will be the first time in over a decade that it will be live-streamed in Texas.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to approve the request from the Harlingen Parks and Recreation Department to close portions of the Arroyo Colorado Hike and Bike Trail, Henry Roberts Loop, Arroyo Delta, Comal, and Olmos Trail, and a portion of the Frank Boggus Memorial Trail for the "Showdown at the Arroyo," October 12th and 13th, 2024. Motion carried unanimously.

- q) Consideration and possible action to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2025 for \$145,757.00 for Teen Service Programs and authorize the City Manager to sign the contract.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Kinsley to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2025 for \$145,757.00 for Teen Service Programs and authorize the City Manager to sign the contract. Motion carried unanimously.

- r) Consideration and possible action to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2025 in the amount of \$140,104.00 for Youth Service Programs and authorize the City Manager to sign the contract

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Kinsley to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2025 for \$140,104.00 for Youth Service Programs and authorize the City Manager to sign the contract. Motion carried unanimously.

- s) Consideration and possible action to accept or deny the donation offered by TXU Energy for twenty (30-gallon) sized native trees to be planted within the City of Harlingen.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to accept the donation offered by TXU Energy for twenty (30-gallon) sized native trees to be planted within the City of Harlingen. Motion carried unanimously.

- t) Consideration and possible action to authorize the City Manager to award a construction contract with RGV Asphalt, LLC for the Los Vecinos Street improvements Project Bid 2024-15, designed by staff and funded by the Harlingen Housing Authority.

Commissioner Lopez asked if the bidder who came in at the top was a choice the city engineer was comfortable with and if he felt they would be able to do the job without any issues later.

Luis Vargas, City Engineer, stated he was comfortable with the choice and felt they could do the job without further issues.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to authorize the City Manager to award construction contract with RGV Asphalt, LLC for the Los Vecinos Street improvements Project Bid 2024-15, designed by staff and funded by the Harlingen Housing Authority. Motion carried unanimously.

- u) Consideration and possible action to authorize the Environmental Health Director to purchase a vehicle via TIPS-USA to replace unit 194, which was assigned to a Health Inspector.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to authorize the Environmental Health Director to purchase a vehicle via TIPS-USA to replace unit 194 which was assigned to a Health Inspector. Motion carried unanimously.

- v) Consideration and possible action to implement a Neighborhood Revitalization Project. (This item was requested by Commissioner Daniel N. Lopez and Commissioner Ford Kinsley)

Commissioner Lopez stated that when he and Commissioner Kinsley were first elected, they wanted to keep each other honest about going through our neighborhoods and giving those neighborhoods the best services they could. This project would be called "Operation Bonito," where each of us would go with staff through our neighborhoods to see what improvements are needed. We would go on the first weekend of the month and then follow up with whatever little projects we found over the course of the rest of the month. It would start on Saturday mornings, with notations made on the project, then turn it over to staff on Monday morning to do it during regular business hours. We need to discuss this further to iron out the details and come up with a written schedule of which district would be assessed on a certain date/weekend.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to table Item 10 (v) for further review. Motion carried unanimously.

- w) Consideration and possible action to allocate \$1,000,000 from the HOT Fund Balance to the Casa Del Sol Renovation Project.

Mr. Gonzalez stated that Scott Joslove, President/CEO of the Texas Hotel & Lodging Association, was in Harlingen a few weeks ago. During his presentation, we asked if we could use Hot Funds to address the issues with Casa Del Sol. He stated we could but would have to track the hotel stays. We asked John Percy to volunteer his services to analyze what has happened to the Casa Del Sol and what the implications are. We canceled all events through the end of the year and are closed to the public. We anticipate that it will remain closed until June 2025. The estimated cost to renovate the facility would be about three million dollars, and they need to have engineers provide their opinions of the work that is required. The next step would be to solicit bids. This would start the process for us to hire an architect, engineer, experts in asbestos and lead, etc., to get a true picture of what needs to be done.

Commissioner Mezmar asked where the other two million dollars would come from.

Mr. Gonzalez stated that we would have to apply for grants and ask some of the other funding agencies in the city to help offset some of those costs, such as the 4A, 4B, and the city's funding.

Commissioner Mezmar asked what purpose this facility would be used for.

Mr. Gonzalez responded that it is used primarily on the weekends by families for quinceañeras and banquets because it is relatively inexpensive. The rental cost is about \$1,000, compared to the entire convention center's cost of about \$8,000. A lot of people, locally, rent it at the convention center. In the past, the Casa Del Sol was also used for the Feast of Sharing (Thanksgiving), but that event has since been moved to the convention center.

Commissioner Mezmar asked, "Do out-of-towners use this facility? "Do they come here, and do they stay here? "

Mr. Gonzalez responded that out-of-towners do come here to look at the facility because it has a particular pedigree: It was designed by a famous architect, Alan Y. Taniguchi.

Commissioner Mezmar asked if there was a historical marker at the facility.

Mr. Gonzalez stated there was no marker yet, but there could be one.

Mayor Pro-Tem Perez asked if this facility generates any tourism funds and if it could generate \$1 million dollars.

Mr. Gonzalez stated that analysis still needs to be done. A group of architects from out of town visited Harlingen to tour the facility from the inside and stayed in Harlingen Hotels.

Commissioner Lopez stated he is working with the Special Projects Director, Ana Hernandez, to look at grants for this project; unfortunately, the grants were not enough to help with this project. They were \$5,000, \$10,000, or \$15,000 for historical renovation. The city must have a "special designation" to get big-ticket grants. In doing further research, we found we could create a "Harlingen Architectural/Arts Tourism Industry" based on this building and numerous buildings, about 20 throughout town, that have architectural significance, including the Lon C. Hill Building, designed by John York. The financial opportunities are slim compared to what I would like.

Mayor Pro-Tem Perez asked if we had gotten any input from the Convention and Visitors Bureau Board.

Commissioner Lopez responded that he had not but would like to table this as Mr. Saarang Jay, who is on the Convention and Visitors Bureau Board and has studied architecture, informed me that the recording method or metric method must meet all state standards. If we can table this item, we could set up a special meeting between now and the next city commission meeting. This gives us time to ask more questions to ensure that the metrics given to us by the person who did the presentation from Austin are something we are all comfortable with. The \$15,000 grant we could apply for could be used for an audio tour of all the different buildings. As we are developing this architectural industry in Harlingen, we need to get the best feedback to make it as successful as possible.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to table Item 10 (w) for further review. Motion carried unanimously.

11. Board Appointments:

Commissioner Lopez re-appointed Paul J. Durant to the Harlingen Community Improvement Board and Jun Ellorimo to the Healthy Harlingen Advisory Board.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Kinsley to approve the re-appointments of Paul J. Durant to the Harlingen Community Improvement Board and Jun Ellorimo to Healthy Harlingen Advisory Board. Motion carried unanimously.

12. Executive Session:

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

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

At 8:10 p.m., Mayor Sepulveda announced that the City Commission would convene into executive session to discuss Item 12 (a).

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

At 8:34 p.m., Mayor Sepulveda announced that the City Commission was out of Executive Session and declared the meeting open to the public.

a) **Consideration and possible action on Item 12 (a) as discussed in the executive session.**

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to proceed as discussed in executive session on Item 12 (a) to give the City Manager final authority to resolve all issues involved. Motion carried unanimously.

14. **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

JOINT MEETING OF THE
DEVELOPMENT CORPORATION BOARD OF DIRECTORS
AND THE HARLINGEN CITY COMMISSION
SEPTEMBER 24, 2024

On October 29, 2024, at 5:30 p.m., the Development Corporation of Harlingen, Inc. Board of Directors and the Harlingen City Commission held a joint meeting in accordance with the Texas Open Meetings Act. The following members were present.

Mayor and Commissioners Present

Mayor Norma Sepulveda

City Commissioners

Ford Kinsely, District 1

Daniel N. Lopez, District 2

Michael Mezmar, District 3,

Frank Morales, District 4

Mayor Pro-Tem, District 5

City Staff

Gabe Gonzalez, City Manager

Mark Sossi, City Attorney

Amanda C. Elizondo, City Secretary

Development Corporation of Harlingen, Inc., HEDC, Present

Javier De Leon

Rudy Martinez, Vice President

Tre Peacock, Secretary

Treasurer, Saarang Jay Rama

Board Member, Eric Ziehe

Board Member, Dr. Linda T. Burke

HEDC Absent

Lizzy de la Garza Putegnat

HEDC Staff

Orlando Campos, CEO, Jane Lozano BRE Mgr.,

Brandie Martinez, Marketing Coordinator,

MaryAnn Villarreal, Office Mgr.,

Tania Hernandez, Economic Development Coordinator,

Beverly Loftus, COO and Alan Ozuna, HEDC Attorney

Call to Order

Mayor Norma Sepulveda called the meeting to order 5:33 p.m.; a quorum was established by City Commission and HEDC, and the following proceedings were held.

Dr. Linda T. Burke arrived and joined the meeting at 6:03 p.m. during executive session.

Pledge of Allegiance - President, Javier De Leon

Conflict of Interest- Mark Sossi

Under State law, a conflict of interest exists if a board 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?

(Board Attorney)

None from the City Commissioners nor the HEDC Board of Directors.

- 1) Executive Session 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:

a) Project Emerald Green

At 5:36 p.m., Mayor Sepulveda announced that the City Commission would convene into executive session to discuss Item 1 (a).

Motion was made by Commissioner Rene Perez and second by Commissioner Michael Mezmar to convene in executive session to discuss Item 1 (a). Motion carried unanimously.

At 5:37 p.m., Rudy Martinez, EDC Board Member announced that the EDC would convene in executive session to discuss Item 1 (a)

Motion was made by Mr. Eric Ziehe and seconded by Mr. Rudy Martinez to convene into executive session. Motion carried unanimously.

At 7:02 p.m., Mayor Norma Sepulveda announced the city commission had completed its executive session and declared the meeting open to the public.

At 7:03 p.m., Mr. Javier De Leon announced the EDC Board had completed its executive session and declared the meeting open to the public.

- 2) Consider possible action on any agenda item listed above in executive session, if necessary.

Motion was made by Commissioner Daniel Lopez and seconded by Commissioner Rene Perez to approve Project Emerald Green as discussed in executive session. Motion carried unanimously.

Motion was made by Mr. Eric Ziehe and seconded by Dr. Linda Burke to approve Project Emerald Green as discussed in executive session. Motion carried unanimously.

- 3) Adjourn.

There being no further business to discuss, Mayor Norma Sepulveda and President, Javier De Leon adjourned the meeting at 7:04 p.m.

City of Harlingen

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Development Corporation of Harlingen, Inc.

ATTEST:

Javier De Leon, President

Orlando Campos, CEO

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(a)

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for the adoption of the 2024 International Codes and the 2023 National Electrical codes.
Applicant: City of Harlingen. Attachment (***Planning & Development***)

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*
amount for this purpose?

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

ORDINANCE NO.

**AN ORDINANCE REPEALING ORDINANCE 14-9 OF THE CITY OF HARLINGEN,
AND ADOPTING THE 2024 EDITION INTERNATIONAL CODES, BY THE
INTERNATIONAL CODE COUNCIL, INC. TO INCLUDE;**

INTERNATIONAL BUILDING CODE,

INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO-FAMILY DWELLINGS,

INTERNATIONAL FIRE CODE,

INTERNATIONAL WILDLAND URBAN INTERFACE CODE,

INTERNATIONAL ENERGY CONSERVATION CODE,

INTERNATIONAL MECHANICAL CODE,

INTERNATIONAL PLUMBING CODE,

INTERNATIONAL FUEL GAS CODE,

INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE,

INTERNATIONAL EXISTING BUILDING CODE,

INTERNATIONAL SWIMMING POOL AND SPA CODE,

INTERNATIONAL PROPERTY MAINTENANCE CODE,

**ICC PERFORMANCE CODE FOR BUILDINGS AND FACILITIES, INTERNATIONAL
GREEN CONSTRUCTION CODE,**

**AND ADOPTING THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101
LIFE SAFETY CODE, INCLUDING THE ANNEX CHAPTERS,**

**AND ADOPTING THE 2023 EDITION OF THE NATIONAL ELECTRIC CODE (NFPA
70), INCLUDING THE ANNEX CHAPTERS,**

**AND REPEALING ALL CITY ORDINANCES IN CONFLICT HERewith AND
ORDAINING OTHER MATTERS RELATING TO THE FOREGOING.**

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

SECTION 1: Ordinance 14-9 be repealed by adopting the 2024 Edition International Codes including the Appendix Chapters by the International Code Council, Inc., to include;

International Building Code,

International Residential Code for One and Two Family Dwellings,
International Fire Code,

International Wildland Urban Interface Code,

International Energy Conservation Code,

International Mechanical Code,

International Plumbing Code,

International Fuel Gas Code,

International Private Sewage Disposal Code,

International Existing Building Code,

International Swimming Pool and Spa Code,

International Property Maintenance Code,

ICC Performance Code for Building and Facilities,

International Green Construction Code,

And adopting the National Fire Protection Association (NFPA) 101 Life Safety Code,
including the Annex Chapters,

And adopting the 2023 Edition of the National Electric Code (NFPA 70), including the
Annex Chapters.

SECTION 2: Any person, individual corporation, partnership, or entity of any type violating the provisions of these codes shall be guilty of a misdemeanor and shall be fined not less than \$1.00 or not to exceed \$2,000.00. Each day that a violation occurs or continues to exist it shall be considered a separate offense.

SECTION 3: All ordinances or part of ordinances in conflict herewith are hereby repealed.

SECTION 4: If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The City of Harlingen hereby declares that it would have passed this ordinance, and each section, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 5: Nothing in this ordinance or the Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any actor

ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this ordinance.

SECTION 6: The City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true and correct copy of the caption of this ordinance to be published in a newspaper having circulation in the City of Harlingen, Cameron County, Texas.

SECTION 7: The rules, regulations, provisions, requirements, orders and matters established and adopted in this ordinance hereby shall take effect after the six-month anniversary of the passage of this ordinance.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Harlingen, Texas that said City Commission wishes to comply with said Ordinance and to provide for enforcement of the requirements set out in the International Codes by the International Code Council, Inc. to safeguard life, health, public welfare and the protection of property within the City of Harlingen, the aforementioned requirements are hereby adopted and shall become effective after the six-month anniversary of the passage of this ordinance.

FINALLY ENACTED this 6th day of November, 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

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(b)

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District, located at 1826 W. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Storm Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (***Planning & Development***)

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 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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

Comments:

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

ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO 7-ELEVEN INC TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON—SITE CONSUMPTION IN A GENEAL RETAIL ("GR") DISRICT LOCATED AT 1826 W. TYLER AVENUE, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 1, STORM SUBDIVISION PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Special Use Permit (SUP) issued to 7-Eleven Inc. to allow the sale of alcoholic beverages for on-site consumption in a General Retail ("GR") District located at 1826 W. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Storm Subdivision 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 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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 6th day of November, 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.

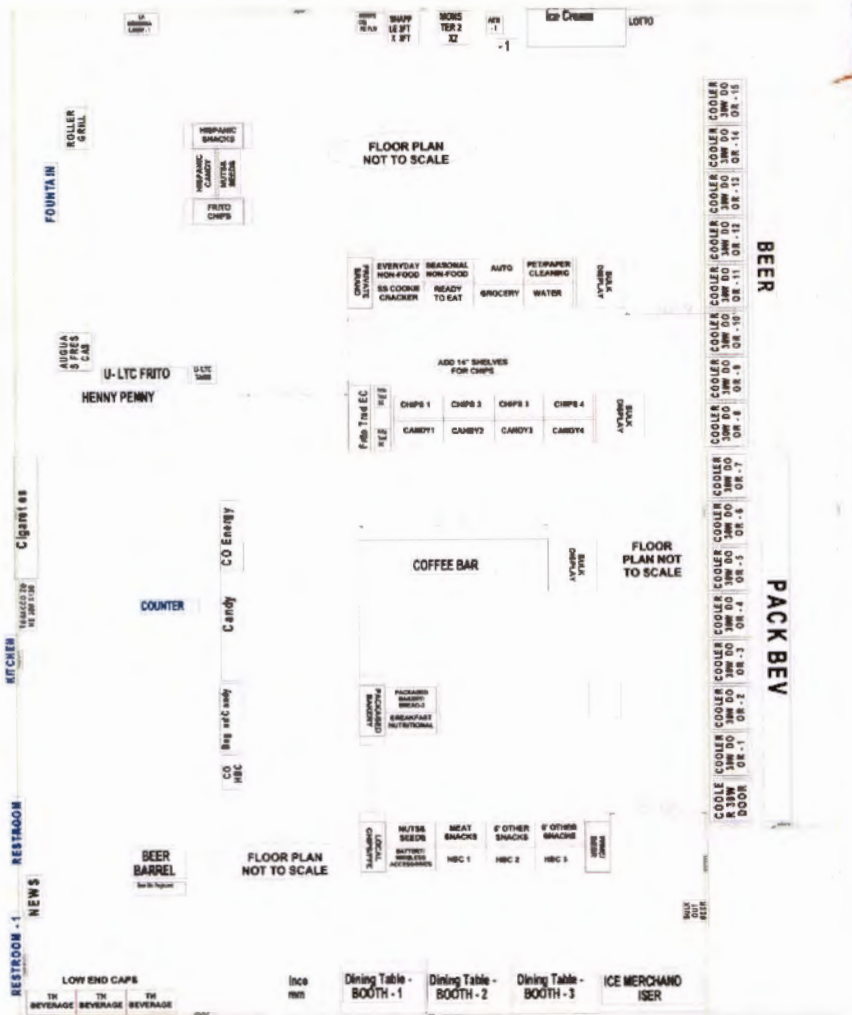
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



For questions or concerns, please contact: GM-HorizonPlanogramSupport@7-11.com



DISCLAIMER:
THIS IS NOT A LEGAL
DOCUMENT INTENT TO
SHOW CURRENT
EQUIPMENT CONDITIONS

40711-9112
1826 W. TYLER AVE
HARLINGEN, TX

MD

NOT TO SCALE

DATE
REVISED
7-31-19
APPROVED
BY OPS

7-Eleven Inc.
Floor Planning Team

40711-9112

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(c)

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premises consumption in a General Retail ("GR") District, located at 1837 Stuart Place Road, bearing a legal description of Lots 1 and 2, Block 1 North Star Business Center Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)

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 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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

Comments:

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

ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO 7-ELEVEN INC TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON—SITE CONSUMPTION IN A GENEAL RETAIL ("GR") DISRICT LOCATED AT 1837 STUART PLACE ROAD, BEARING A LEGAL DESCRIPTION OF LOTS 1 AND 2, BLOCK 1 NORTH START BUSINESS CENTER SUBDIVISION PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Special Use Permit (SUP) issued to 7-Eleven Inc. to allow the sale of alcoholic beverages for on-site consumption in a General Retail ("GR") District located at 1837 Stuart Place Road, bearing a legal description of Lots 1 and 2, Block 1, North Star Business Center Subdivision 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 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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.

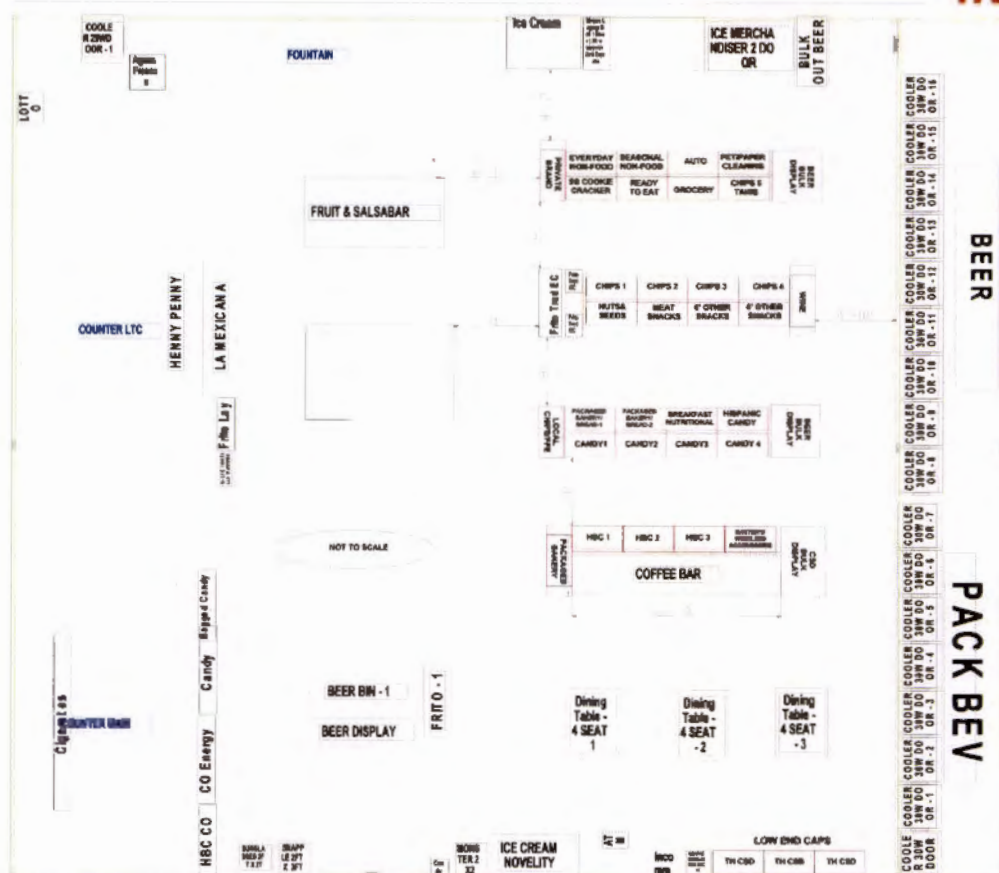
FINALLY ENACTED this 6th day of November, 2024 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary



DISCLAIMER:
THIS IS NOT A LEGAL
DOCUMENT. INTENT TO
SHOW CURRENT
EQUIPMENT CONNECTIONS

40704-2211
1837 N. STUART PLACE
HARLINGEN, TX 78552

DRAWN BY: MD
 SCALE: NOT TO SCALE
 DATE: Revised 7-2-19
 Approved by: Oes

7-Eleven Inc.
Floor Planning Team

40704-
2211

For questions or concerns, please contact: GM-HorizonPlanogramSupport@7-11.com

7(a)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: November 6, 2024

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading amending the City of Harlingen Code of Ordinances, Chapter 109, Subdivisions, Article VII, Cost Participation, Section 109-193(5), Park Land Dedication, Exemption, to add a provision which exempts non-profits that focus on affordable housing from paying park fees. Applicant: City of Harlingen. Attachment (***Planning & Development***)

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 amount for this purpose?

☐ Yes ☐ No*

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:

C/S

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☐ Yes ☐ No ☐ N/A

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 109, SUBDIVISIONS, ARTICLE VII, COST PARTICIPATION, SECTION 109-193(5), PARK LAND DEDICATION, EXEMPTION, TO ADD A PROVISION WHICH EXEMPTS NON-PROFITS THAT FOCUS ON AFFORDABLE HOUSING FROM PAYING PARK FEES, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

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

WHEREAS, The Planning and Zoning Commission has reviewed the proposed subdivision amendment and has recommended approval;

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

WHEREAS, The City Commission of the City of Harlingen desires to amend the subdivision code of ordinances and finds that it is in the best interests of the citizens of Harlingen to amend the subdivision code of ordinances as set forth below;

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

SECTION I: The City of Harlingen Code of Ordinances, Chapter 109, Subdivisions, Article VII, Cost Participation, Section 109-193(5) Park Land Dedication, Exemption is hereby amended by adding the language underlined (added) to read in full as follows:

Sec. 109-193 - Park land Dedication

(a) Requirements for park land dedication: Neighborhood and community parks are those facilities providing for a variety of outdoor recreational opportunities and within convenient distances from a majority of the residences to be served thereby. Park zones are hereby established in the map below and shall be prima facie proof that any park located therein is within such a convenient distance from any residence located therein. The residential property owners who, by reason of the proximity of their property to such parks, shall be the primary beneficiaries of such facilities. Therefore, the following requirements are adopted to effect the purposes stated.

PARK ZONES

PROPOSED PARK ZONES

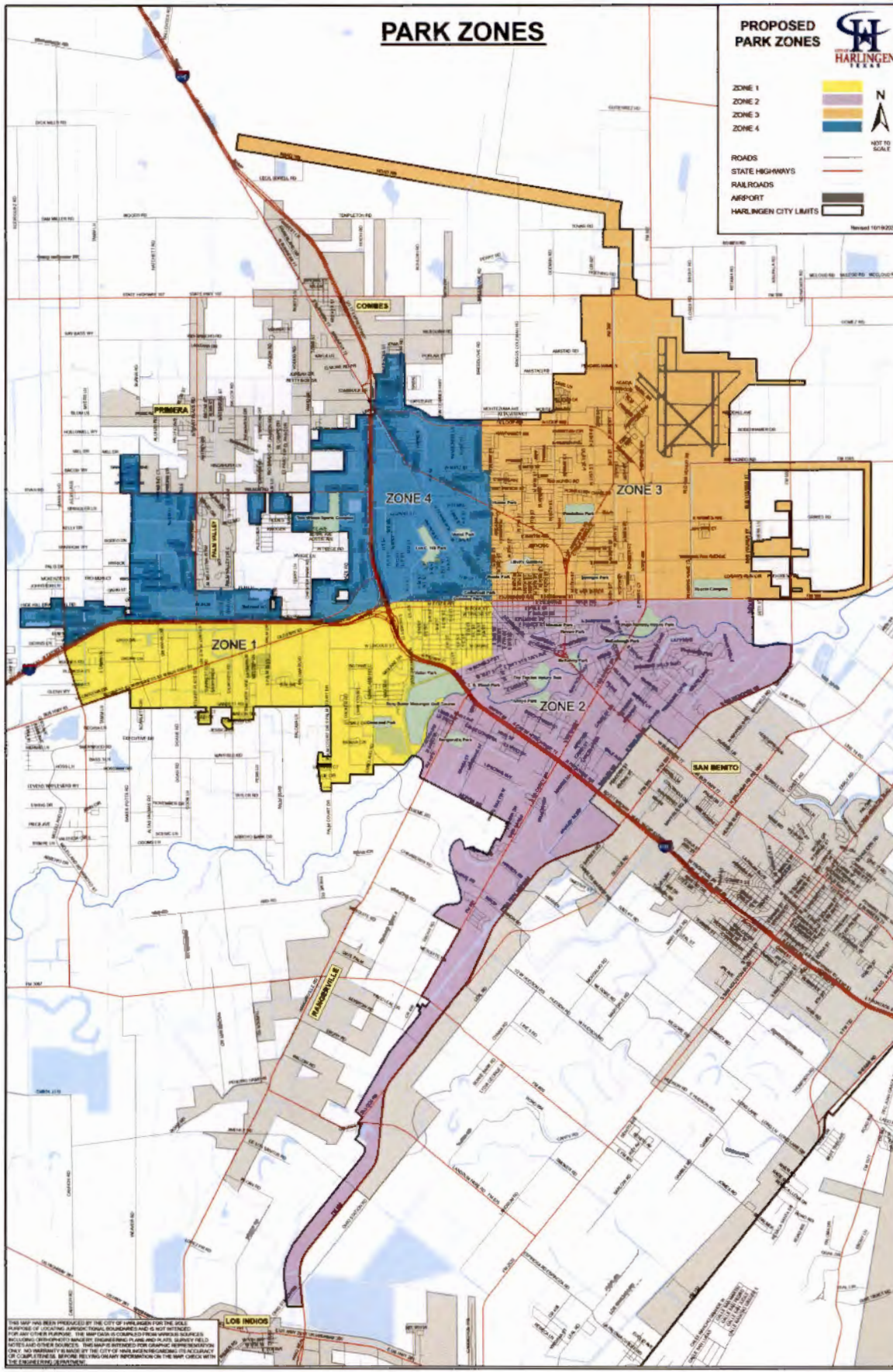


- ZONE 1
- ZONE 2
- ZONE 3
- ZONE 4



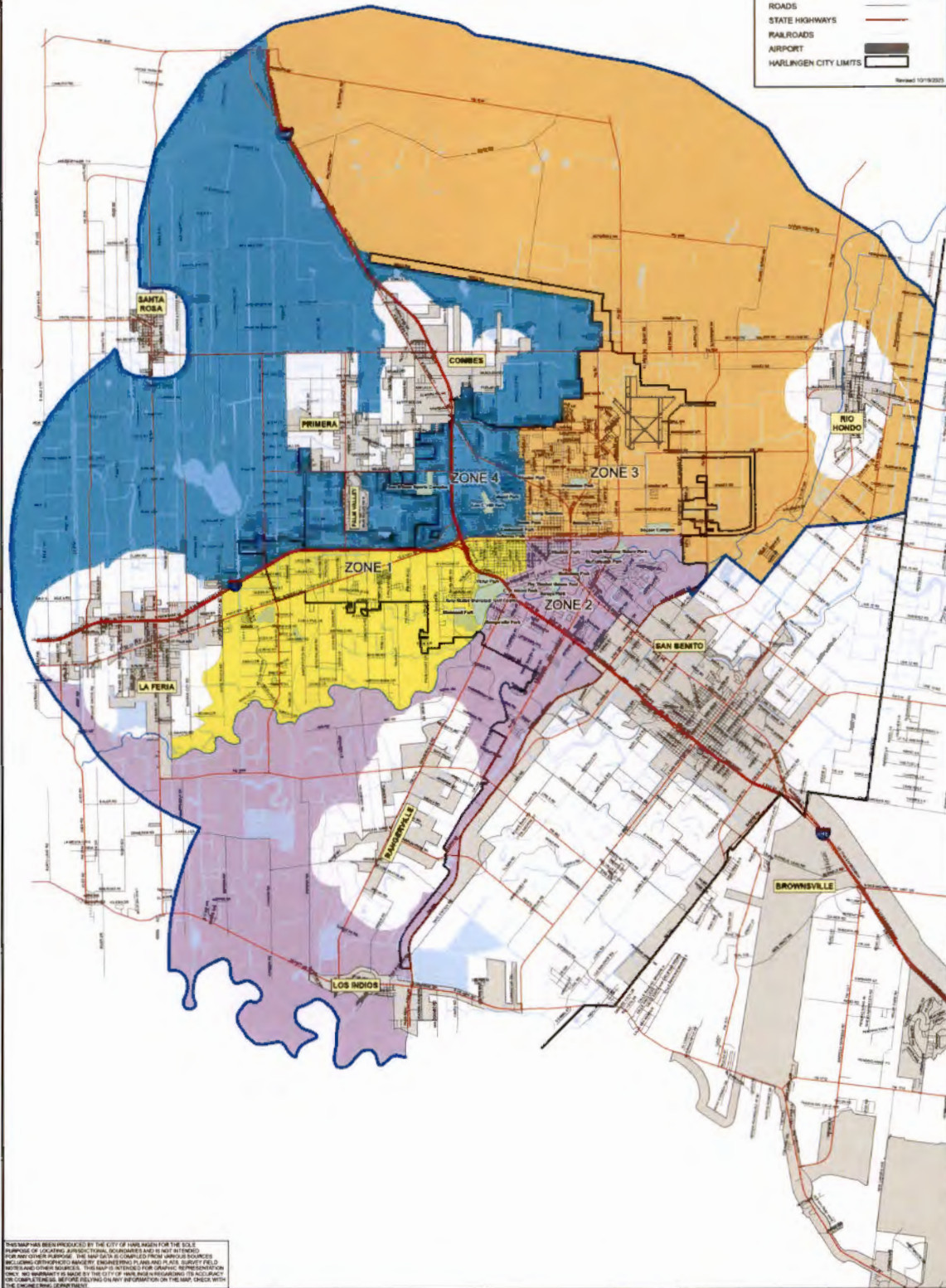
- ROADS
- STATE HIGHWAYS
- RAILROADS
- AIRPORT
- HARLINGEN CITY LIMITS

Revised 10/19/2023



THIS MAP HAS BEEN PREPARED BY THE CITY OF HARLINGEN FOR THE SOLE PURPOSE OF LOCATING PARK ZONES. HARLINGEN HAS NO INTENTION FOR ANY OTHER PURPOSE. THE MAP IS COMPILED FROM VARIOUS SOURCES INCLUDING AERIAL PHOTOGRAPHS, SURVEY DATA, AND OTHER SOURCES. THE MAP IS INTENDED FOR GENERAL INFORMATION ONLY AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THE CITY OF HARLINGEN IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CITY OF HARLINGEN IS NOT RESPONSIBLE FOR ANY DAMAGES OR INJURIES RESULTING FROM THE USE OF THIS MAP. THE CITY OF HARLINGEN IS NOT RESPONSIBLE FOR ANY DAMAGES OR INJURIES RESULTING FROM THE USE OF THIS MAP.

-
- Legend:
- Yellow: Dryland
 - Purple: Wetland
 - Orange: Shrubland
 - Blue: Water
 - Blue line: Road
 - Black line: Boundary
 - Brown line: River
 - Black rectangle: Building
 - White rectangle: Field
- North arrow pointing up, labeled 'N'.
- NOT TO SCALE.



THIS MAP HAS BEEN PRODUCED BY THE CITY OF HANNOVER 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 AERIAL PHOTOGRAPHY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY AND NEITHER THE CITY OF HANNOVER NOR ANY AGENCIES ASSOCIATED WITH IT, OR ANY OF ITS EMPLOYEES, SHALL BE RESPONSIBLE FOR ANY INACCURACIES OR COMPLETION. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE ENGINEERING DEPARTMENT.

(1). General requirements.

a. Whenever a final plat is filed for approval with the city for the development of a residential or multi-family development within the city limits or within the extraterritorial jurisdiction, such plat shall contain a clear fee simple dedication of an area of land to the City for park purposes, which area shall equal two (2) acres for each 30 acres of net development. Any proposed plat submitted to the City for approval shall show the area proposed to be dedicated under this Section. The required dedication of this subsection may be met by a payment of money in lieu of land when permitted or required by the other provisions of this Section. For subdivisions within the Harlingen extraterritorial jurisdiction a payment of money in lieu of land shall be the only option. Residential or multi-family subdivisions within the extraterritorial jurisdiction in which the developer has requested voluntary annexation to the city limits, and the annexation took place, shall be exempt from the provisions of this section.

b. The City Commission declares that development of an area resulting in a land dedication smaller than two (2) acres for public parks purposes is impractical. Therefore, if fewer than 30 acres are proposed by a plat filed for approval, the developer shall be required to pay the applicable payment in lieu of land amount provided by Section 2, Money in lieu of land, rather than to dedicate any land area. No plat showing a dedication of less than two (2) acres shall be approved.

c. In instances where an area is required to be dedicated, the City Commission shall have the right to accept the dedication on the final plat, or to refuse same, after consideration of the recommendation of the Planning and Zoning Commission. If the dedication is disapproved by the City Commission, or the development is less than 30 acres in net area, a payment in lieu of land in the amount of \$450.00 per dwelling unit shall be required prior to plat recording. The fee shall increase in the amount of \$25.00 per dwelling unit after each annual anniversary of the adoption of this ordinance to be capped at \$750.00 per dwelling unit. If the actual number of dwelling units proposed for construction exceed the figure upon which the original land dedication or payment was based, such additional dedication shall be required, and shall be made by the payment per each additional dwelling unit before the building permit is issued.

d. The general criteria for the determination to accept or reject the proposed dedicated land shall be whether or not there is sufficient park area in the public domain in the area of the proposed development or if the recreational potential for that park zone would be better served by expanding or improving existing parks, or whether or not the particular property is suitable for park purposes because of traffic conditions, environmental concerns, adjacent property uses, configuration of the

property or other appropriate criteria to be established by the City Commission.

e. In those cases where developers of land provide significant amenities, such as, swimming pools, tennis courts, basketball courts, ball fields or walking trails within the development for the benefit of those residing therein, and where, with a positive recommendation from the Planning and Zoning Commission, could obtain a reduction of up to 50 percent of the required payment in lieu of land dedication.

(2). Money in lieu of land.

a. Payments may be used only for acquisition of land and improvements or for improvements to an existing park located within the same park zone as the area being developed.

b. Funds from all the park zones could be used for the acquisition of land for a park to be created after the passing of this ordinance or for improvements to regional parks. The existing regional parks that could use funds from all the park zones are the following: Victor Park, Lon C. Hill Park, Pendleton Park, the Soccer Complex and the Wilson Sports Complex.

(3) Special fund; right to refund

a. There is hereby established a special fund for the deposit of all sums paid in lieu of land dedication for park purposes, which fund shall be known as the Park Land Dedication Fund and divided by zones as per the map in subsection (a).

b. The City shall account for all sums paid in lieu of land dedication under this Section with reference to the individual plats involved. Any funds paid for such purposes must be expended by the City within ten (10) years from the date received by the City for acquisition for development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first in, first out basis. If not so expended, the subdivision developer on the last day of such period shall be entitled to a refund of such sums without accrued interest. The developer of such property must request such refund within one (1) year of entitlement, in writing, or such right shall be barred.

(4) Additional requirements

a. Any land dedicated to the City under this Section must be suitable for park and recreational uses and approved by the City Commission.

b. Each park must have ready access to public streets.

c. Due to this Section all residential and multi-family subdivisions within the city limits or within the extraterritorial jurisdiction will require approval of the preliminary construction plans and the final plat from the City Commission.

(5) Exemption

This Ordinance shall not apply and have no effect on any subdivision in the City that a plat application has been filed prior to the passage of this ordinance.

Not for profit corporations that focus on providing affordable housing to families of low to moderate income are exempt from this ordinance. The Articles of Incorporation of the corporation must be reviewed and approved by the City Attorney.

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

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

FINALLY ENACTED this 6th day of November, 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:

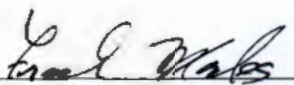
Amanda C. Elizondo, City Secretary

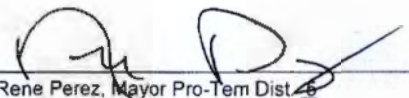
City of Harlingen
Agenda Item Request Form

We, hereby request the following item to be added to the November 6, 2024, City Commission Agenda:

Consideration and possible action to approve the installation of speed humps in the following location(s):

1. 500 Block of West Lincoln St.


Frank Morales, Commissioner Dist. 4


Rene Perez, Mayor Pro-Tem Dist. 4

AGENDA ITEM
EXECUTIVE SUMMARY

8(b)

Meeting Date: **November 6, 2024**

Agenda Item:

Investment Report for the City of Harlingen for **the quarter** ending September 30, 2024, and for **year** ending September 30, 2024.

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

Brief Summary:

The investment report shows the total amount of cash and investments in summary and detail. The report includes types of investments, interest rates, maturity dates and portfolio composition.

Highlights:

\$74,037,227 Total Book Value of all City funds at September 30, 2024
\$ 881,588 Interest earned during **quarter**
\$ 3,774,940 Interest earned during **year**
\$ 117,004 Net Amortization/Accretion during **quarter**
\$ 460,224 Net Amortization/Accretion during **year**
5.134% Weighted Average
86.6% Overnight
13.4% Cash and Investments maturing within 0-3 months

The graphical summary of the City's portfolio is displayed on pages 5 - 9. The City of Harlingen manages and invests funds with three objectives, listed in order of priority: Preservation and Safety of Principal, Liquidity, and Yield. All investments comply with the Public Funds Investments Act (PIFA).

Funding (if applicable):

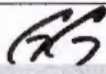
Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

INVESTMENT REPORT

FOR THE QUARTER
JULY 1, 2024 TO SEPTEMBER 30, 2024

November 6, 2024



Portfolio Overview

Portfolio Summary

	Prior 30 Sep-23	Current 30 Sep-24
Par Value	74,148,724.15	74,118,883.63
Original Cost	73,910,983.70	73,716,930.51
Book Value	74,008,796.51	74,037,226.91
Market Value	73,999,911.65	74,043,883.63
Accrued Interest	13,839.29	29,508.20
Book Value Plus Accrued	74,022,635.79	74,066,735.10
Market Value Plus Accrued	74,013,750.94	74,073,391.83
Net Unrealized Gain/(Loss)	(8,884.86)	6,656.72

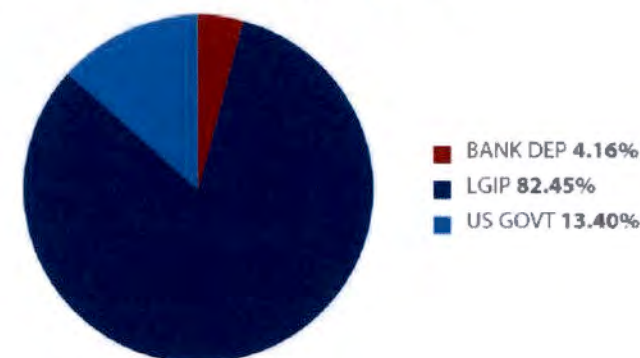
Income Summary

Current Period	1 Oct-23 to 30 Sep-24
Interest Income	3,774,939.61
Net Amortization/Accretion	460,224.04
Realized Gain/(Loss)	(0.00)
Net Income	4,235,163.65
Fiscal Year-to-Date	1 Oct-23 to 30 Sep-24
Net Income	4,235,163.65

Portfolio Characteristics

	Prior 30 Sep-23	Current 30 Sep-24
Yield to Maturity	5.095%	5.134%
Yield to Worst	5.095%	5.134%
Days to Final Maturity	28	11
Days to Effective Maturity	28	11
Duration	0.54	0.21

Asset Allocation

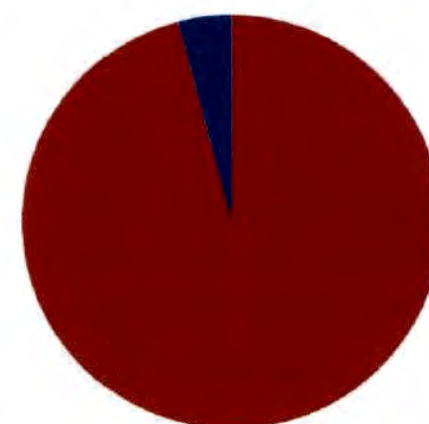


Credit Rating Summary

Rating Distribution

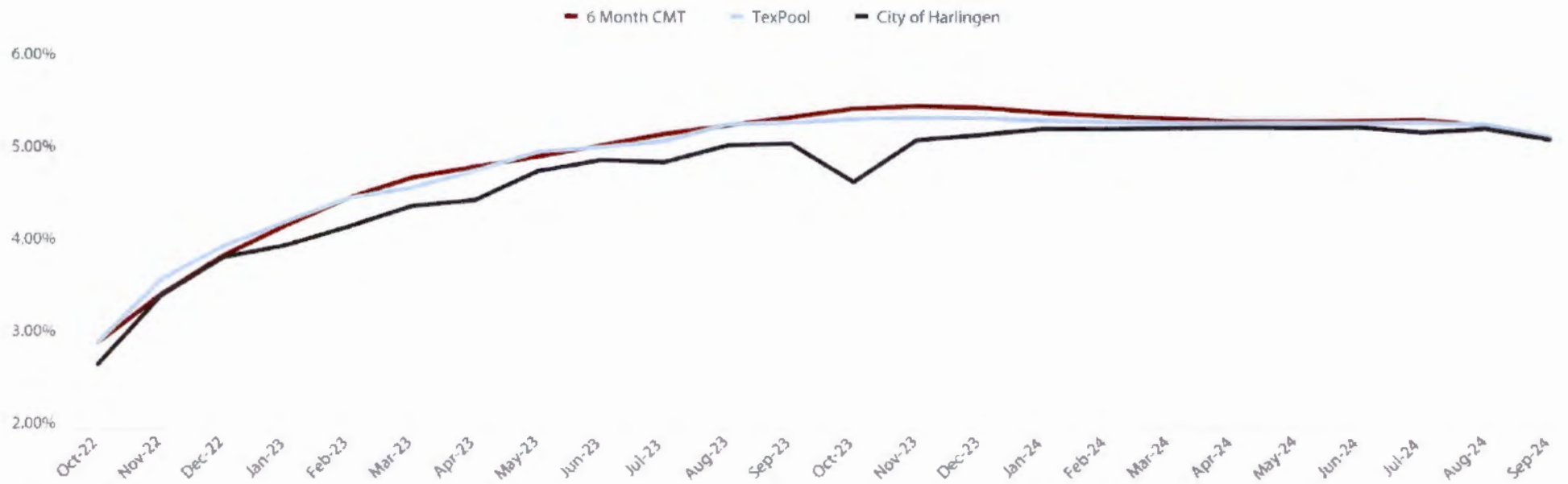
	Book Value	Portfolio Allocation
Secured Deposits (Insured or Collateralized)		
Demand Deposits	3,078,099.31	4.16%
Total Secured Deposits	3,078,099.31	4.16%
Local Government Investment Pools & Money Market Funds		
AAA	61,040,784.32	82.45%
Total Local Government Investment Pools & Money Market Funds	61,040,784.32	82.45%
Long Term Rating Distribution		
AAA	9,918,343.28	13.40%
Total Long Term Rating Distribution	9,918,343.28	13.40%
Portfolio Total	74,037,226.91	100.00%

Allocation by Rating



■ AAA 95.84% ■ SD 4.16%

Benchmark Comparison



Yield Overview

	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
City of Harlingen	2.69	3.44	3.85	3.99	4.19	4.41	4.48	4.79	4.91	4.89	5.07	5.10	4.67	5.13	5.19	5.25	5.25	5.26	5.27	5.26	5.27	5.21	5.25	5.13
6 Month CMT	2.93	3.45	3.87	4.20	4.50	4.72	4.84	4.95	5.07	5.20	5.29	5.38	5.47	5.50	5.48	5.43	5.39	5.36	5.33	5.33	5.34	5.34	5.29	5.16
TexPool	2.93	3.61	3.98	4.24	4.50	4.61	4.80	5.00	5.05	5.12	5.30	5.32	5.36	5.37	5.37	5.35	5.33	5.32	5.31	5.32	5.31	5.32	5.30	5.16

912)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:

Public hearing for the voluntary annexation of a 12.45-acre tract of land out of Block 68, Palmetal Company Subdivision, located along the north side of FM 106 approximately 1,295 feet east of FM 509. Applicant: Whiting Investments, LTD. Attachment **(Planning & Development)**

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- October 12, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- October 23, 2024 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- November 6, 2024 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- November 20, 2024 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The property owner has requested the voluntary annexation of 12.45 acres of land **(Attachment I)**. The property has frontage along FM 106 and is contiguous to the city limits via the west side that was annexed to the city limits in the year 2016 **(Attachment V)**.
- The property owner is proposing industrial warehouses at the site and finds it beneficial for the property to be within the city limits. With the rezoning to Light Industry ("LI") district, the developer plans to continue developing his property. The south one half of his property was annexed to the city limits in 1979.
- Water and sewer for this property is already provided by Harlingen Waterworks System.
- The developer will be processing permits for industrial warehouses soon after the annexation process is completed. During the rezoning process legal notices will be mailed to all property owners within 200 feet of the subject property. The legal notices will be mailed to the property owners within the city limits only.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.
- In 2024 the city has annexed a total of 91.49 acres. With this annexation it will be

a total of 103.94 acres annexed in the calendar year. In 2023 the city annexed 19.94 acres. In 2022 the city annexed 71.1 acres. In 2021 the city annexed 1.47 acres.

Funding (if applicable):

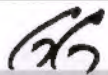
Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*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

Public hearing and take action to consider a request for the voluntary annexation of 12.45 acres of land out of Block 68, Palmetal Company Subdivision, located on the north side of FM 106 approximately 1,295 feet east of FM 509. Applicant: Whiting Investments, LTD

Xavier Cervantes, Planning and Development Director, presented the request for voluntary annexation, as follows:

- An aerial view of the subject lot was presented. Mr. Cervantes explained that the area to the north (outlined in blue) is the area being proposed for annexation.
- The applicant, Mr. Chris Hamby, is proposing to build warehouses on the subject property.
- The Voluntary Annexation Request Letter and Service Agreement was presented. Mr. Cervantes explained that Mr. Hamby finds it easier to obtain permits through the City than through the County.
- Mr. Cervantes said this is a win-win situation for all – for Mr. Hamby who wants the annexation and the City, who will get the permit fees and the property taxes.

Chairman Consiglio thanked Mr. Cervantes and asked if there were any questions for Staff. Upon hearing none, the Chrm. proceeded to the Public Hearing on the item. The Public Hearing was opened. The Vice Chrm. asked if there was anyone present that would like to speak on this item, either for or against, asking them to approach the podium. Upon hearing and seeing no one, the Public Hearing was closed.

Chairman Consiglio asked if there was a motion. Cmr. Villarreal made the motion to approve. Cmr. Perez seconded the motion. The Chrm. asked if there was a need for further discussion and upon hearing none moved the motion to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(b)

Meeting Date: **November 6, 2024**

Agenda Item:

Public 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 2426 E. Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. Subdivision. Attachment **(Planning & Development)**

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- August 19, 2024 – Application for Special Use Permit (SUP) submitted to the City. **(ATTACHMENT I)**
- September 23, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- September 28, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- October 23, 2024 – Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- November 6, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- November 20, 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 2426 E. Loop 499. The Stripes Convenience Store is approximately 4,648 square feet. **(ATTACHMENT II, III)**
- According to the site plan and information submitted, the applicant has applied to change their TABC application from a "Wine and Malt Beverage Retailers Off Premise Permit ("BQ") to a Wine and Malt Beverage Retail Dealer's On-Premise Permit ("BG"), which allows for the sale of wine and malt beverages for on- and off-premise consumption. The applicant is proposing to sell a wine based ready-to-drink product known as the "Margarita" for on-premise consumption. Seating will be provided indoors for the on-premise consumption. The hours of operation will be every day from 7:00 a.m. to 12:00 p.m. Sixteen (16) parking spaces are required, and sixteen (16) parking spaces are provided. **(ATTACHMENT IV AND V).**
- Surrounding properties are zoned General Retail ("GR") District to the north, south, and west, and Planned Development ("PD") District to the east. Surrounding land uses consist of vacant commercial land to the north, south, and west, the Cornerstone Apartments to the west, and TSTC to the east. **(ATTACHMENT IV, V)**
- The Special Use Permit (SUP) for the Stripes Convenience Store located at 1610 S. F Street was approved by the Planning & Zoning Commission on March 27th, 2024, and by the City Commission on April 17th, 2024. Additionally, the Special Use Permits (SUPs) for the following Stripes Convenience Stores located at 1725 S. F Street, 202 N. Ed Carey,

1250 N. 77 Sunshine Strip, and 1313 Haverford Boulevard, were approved by the Planning & Zoning Commission on September 25th, 2024, and by the City Commission on October 2nd, 2024. The Special Use Permit (SUP) for the Stripes Convenience stores located at 1837 Stuart Place Road and 1823 W. Tyler Avenue were approved by the Planning & Zoning Commission on October 9th, 2024. They are pending approval by the City Commission.

- 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 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 four notices to surrounding property owners.

Funding (if applicable):

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

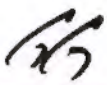
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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

Comments:

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

Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District 2426 E. Loop 499, bearing a legal description of Lot 1, Block 1, CBA Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven, Inc.

City Planner, Soledad A. Núñez presented the following information related to the request for a Special Use Permit, as follows:

- Ms. Núñez prefaced the information by saying this was the exact same thing.
- The Legal Notice map that was sent out was presented.
- The footprint of the store is approximately four thousand, six hundred and forty-eight (4,648) square feet.
- A Street View of the subject property from E. Loop 499 was presented.
- A Street View of the subject property from Morgan Boulevard was presented.
- Surrounding properties are zoned General Retail to the north, south and west, and Planned Development (PD) District to the east.
- An aerial view was presented. Surrounding land uses consist of vacant commercial land to the north, south, and west, the Cornerstone Apartments to the west, and TSTC to the east.
- The site plan provided by the company was presented.
- The floor plan of the store was presented. Ms. Núñez explained that this store also does not have seating and that this will be something they need to address.
- Ms. Núñez said they are required to have sixteen (16) parking spaces, and they have sixteen (16) spaces provided.
- The legal notice that was sent out was presented. Staff did not receive any phone calls.
- Ms. Núñez stated that Staff is recommending approval of the Special Use Permit subject to the noted conditions.

Chairman Consiglio thanked Ms. Núñez. The Chrm. proceeded to the Public Hearing on the item. The Public Hearing was opened. The Vice Chrm. asked if there was anyone present that would like to speak on this item, either for or against, asking them to approach the podium. Upon hearing and seeing no one, the Public Hearing was closed.

Chairman Consiglio asked if there was a motion. Cmr. Perez made the motion to approve. Cmr. Cantu seconded the motion. The Chrm. moved the motion to a vote. The motion passed unanimously.

9(c)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:

Public hearing for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District, located at 2305 W. Loop 499, bearing a legal description of Parts of Lots 1A, 1B, and 2A, and all of Lots 3A, 3B, and Lot 4, Block 4, Avondale Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- August 19, 2024 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I**)
- September 23, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- September 28, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- October 23, 2024 – Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- November 6, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- November 20, 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 2305 W. Loop 499. The Stripes Convenience Store is approximately 3,256 square feet. (**ATTACHMENT II, III**)
- According to the site plan and information submitted, the applicant has applied to change their TABC application from a "Wine and Malt Beverage Retailers Off Premise Permit ("BQ") to a Wine and Malt Beverage Retail Dealer's On-Premise Permit ("BG"), which allows for the sale of wine and malt beverages for on- and off-premise consumption. The applicant is proposing to sell a wine based ready-to-drink product known as the "Margarita" for on-premise consumption. Seating will be provided indoors for the on-premise consumption. The hours of operation will be every day from 7:00 a.m. to 12:00 p.m. Twelve (12) parking spaces are required, and sixteen (16) parking spaces are provided. (**ATTACHMENT IV AND V**).
- Surrounding properties are zoned General Retail ("GR") District to the north, south, east, and west. Surrounding land uses consist of a Stripes Convenience Store, a Church's Chicken, and an O'Reilly's Auto Parts to the north, Garcia's Welding, Antojitos Mi Reynita, and Los Herrera's Mexican Grill to the east, a Watermill Express, and Single-Family Homes to the south, and vacant commercial land to the west. (**ATTACHMENT IV, V**)
- The Special Use Permit (SUP) for the Stripes Convenience Store located at 1610 S. F

Street was approved by the Planning & Zoning Commission on March 27th, 2024, and by the City Commission on April 17th, 2024. Additionally, the Special Use Permits (SUPs) for the following Stripes Convenience Stores located at 1725 S. F Street, 202 N. Ed Carey, 1250 N. 77 Sunshine Strip, and 1313 Haverford Boulevard, were approved by the Planning & Zoning Commission on September 25th, 2024, and by the City Commission on October 2nd, 2024. The Special Use Permit (SUP) for the Stripes Convenience stores located at 1837 Stuart Place Road and 1823 W. Tyler Avenue were approved by the Planning & Zoning Commission on October 9th, 2024. They are pending approval by the City Commission.

- 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 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 four notices to surrounding property owners.

Funding (if applicable):

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

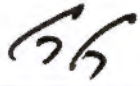
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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

Comments:

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

Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at 2305 W. Loop 499, bearing a legal description of Parts of Lots 1A, 1B, and 2A, and all of Lots 3A, 3B, and Lot 4, Block 4, Avondale Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven, Inc.

City Planner, Soledad A. Núñez presented the following information related to the request for a Special Use Permit, as follows:

- Ms. Núñez prefaced the information by saying this was the exact same as the item presented before.
- The Legal Notice map that was sent out was presented.
- The footprint of the store is approximately three thousand, two hundred fifty-six (3,256) square feet.
- A Street View of the subject property from W. Loop 499 was presented.
- A Street View of the subject property from N. 77 Sunshine Strip was presented.
- Surrounding properties are zoned General Retail to the north, south, east and west.
- An aerial view was presented. Surrounding land uses consist of a Stripes Convenience Store, a Church's Chicken, and an O'Reilly's Auto Parts to the north, Garcia's Welding, Antojitos Mi Reynita, and Los Herrera's Mexican Grill to the east, a Watermill Express, and Single-Family Homes to the south, and vacant commercial land to the west.
- The site plan provided by the company was presented.
- The floor plan of the store was presented. Ms. Núñez explained that this store does not seating and that this is something that they will need to address during permitting.
- The legal notice that was sent out was presented. Staff did not receive any phone calls.
- Ms. Núñez stated that Staff is recommending approval of the Special Use Permit subject to complying with the noted conditions.

Chairman Consiglio thanked Ms. Núñez and asked if there were any questions for Staff. Upon hearing none, the Chrm. proceeded to the Public Hearing on the item.

The Public Hearing was opened. The Chrm. asked if there was anyone present that would like to speak on this item, either for or against, asking them to approach the podium. Upon hearing and seeing no one, the Public Hearing was closed.

Chairman Consiglio asked if there was a motion. Cmr. Flores made the motion to approve. Cmr. Cantu seconded the motion. The Chrm. moved the motion to a vote. The motion passed unanimously.

9(d)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:

Public hearing 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 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)

Prepared By: **Xavier Cervantes, AICP, CPM**

Title: **Planning and Development Director**

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- August 19, 2024 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I**)
- October 8, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- October 12, 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.
- October 23, 2024– Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- November 6, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- November 20, 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 2423 E. Tyler Ave. The Stripes Convenience Store is approximately 4,008.00 square feet. (**ATTACHMENTS II, III**)
- Based on the site plan and information submitted, the applicant has applied to change their TABC application from a "Wine and Malt Beverage Retailers Off Premise Permit ("BQ") to a Wine and Malt Beverage Retail Dealer's On-Premise Permit ("BG"), which allows for the sale of wine and malt beverages for on- and off-premise consumption. The applicant is proposing to sell a wine based ready-to-drink product known as the "Margarita" for on-premise consumption. Seating will be provided indoors for the on-premise consumption. The hours of operation will be every day from 7:00 a.m. to 12:00 p.m. Eleven (11) parking spaces are required, and twenty-two (22) parking spaces are provided. (**ATTACHMENTS II,**

III)

- Surrounding properties are zoned General Retail ("GR") District to the north, east, south, and west. Surrounding land uses consist of a home care facility to the north, vacant land to the east, a commercial plaza to the south, and a health and wellness center to the west. **(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 needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- 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 nine (9) legal notices to the surrounding property owners.

Funding (if applicable):

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

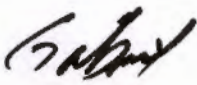
*If no, specify source of funding and amount requested:

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 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 7:00 am to 12:00 pm, every day.

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

Comments:

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

Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven, Inc.

City Planner, Estefania Hernández, presented the following information related to the request for a Special Use Permit, as follows:

- The Legal Notice map was shown to identify the location of the subject property.
- The Street View from E. Harrison Avenue was presented.
- Ms. Hernández explained that the request is to allow the sale of alcohol for on-site consumption at the existing Stripes store. They are proposing to change their TABC license from a wine and malt beverage retailers' off-premise permit to a wine and malt beverage retailers' on-premise permit.
- The store is approximately four thousand (4,000) square feet.
- The Street View from E. Tyler Avenue was presented.
- The hours of operation would be from seven (7) a.m. to twelve (12) a.m.
- The requirement is for eleven (11) parking spaces are required and twenty-two (22) are provided at this location.
- The site plan that was provided by the applicant was presented. It indicates some detail on the proposed parking spaces as well as regress and ingress
- The floor plan was presented. There is seating at this location. It can be seen at the very bottom.
- An Aerial View of the subject property was presented. Surrounding land uses are zoned for General Retail use to the north, east, south and west. Surrounding land uses include a home care facility to the north, some vacant land belonging to the City to the east, a commercial plaza to the south, and medical offices and practices to the east.
- Ms. Hernández said that the Building Inspections Department, Fire Prevention Bureau, Harlingen Police Department, and the Health Department have all reviewed the application presented and all have recommended approval.
- A sample photo from a location in Pharr was shown. Ms. Hernández explained that the machine is located and facing to the back and not accessible to customer. She said that a store employee would have to serve the product to the customer.
- The legal notice notification that was sent to property owners was presented. She explained that beginning a couple of P&Z meetings ago, Staff began sending out the legal notice in both English and Spanish. Staff sent nine (9) legal notices. Staff did not receive any phone calls in opposition.
- Staff is recommending 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 thirty (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 7:00 am to 12:00 pm, every day.

Chrm. Consiglio thanked Ms. Hernández and asked if there were any questions for Staff. Upon hearing none, he proceeded to the Public Hearing on the item. The Public Hearing was opened. The

Vice Chrm. asked if there was anyone present that would like to speak in favor or against. Upon hearing and seeing no one, the Public Hearing was closed.

The Vice Chrm. said he would entertain a motion. Cmr. Villarreal made the motion to approve. Cmr. Perez seconded the motion. The motion was moved to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(2)

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading for the voluntary annexation of a 12.45-acre tract of land out of Block 68, Palmetal Company Subdivision, located along the north side of FM 106 approximately 1,295 feet east of FM 509.
Applicant: Whiting Investments, LTD. Attachment (**Planning & Development**)

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- October 12, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- October 23, 2024 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- November 6, 2024 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- November 20, 2024 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The property owner has requested the voluntary annexation of 12.45 acres of land (**Attachment I**). The property has frontage along FM 106 and is contiguous to the city limits via the west side that was annexed to the city limits in the year 2016 (**Attachment V**).
- The property owner is proposing industrial warehouses at the site and finds it beneficial for the property to be within the city limits. With the rezoning to Light Industry ("LI") district, the developer plans to continue developing his property. The south one half of his property was annexed to the city limits in 1979.
- Water and sewer for this property is already provided by Harlingen Waterworks System.
- The developer will be processing permits for industrial warehouses soon after the annexation process is completed. During the rezoning process legal notices will be mailed to all property owners within 200 feet of the subject property. The legal notices will be mailed to the property owners within the city limits only.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.
- In 2024 the city has annexed a total of 91.49 acres. With this annexation it will be

a total of 103.94 acres annexed in the calendar year. In 2023 the city annexed 19.94 acres. In 2022 the city annexed 71.1 acres. In 2021 the city annexed 1.47 acres.

Funding (if applicable):

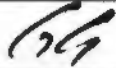
Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*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- Letter from the Property Owner

WHITING INVESTMENTS, LTD.
PO BOX 532845
HARLINGEN, TEXAS 78553
(956)425-9922
(956)428-7174 FAX

September 26, 2024

Mr. Xavier Cervantes
City of Harlingen Planning and Zoning Director
502 E Tyler
Harlingen, TX 78550

24679 FM 2925
Rio Hondo, Texas

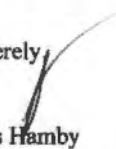
RE: Annexation of Property 6201 FM 106 Units 12 through 17

Mr. Cervantes:

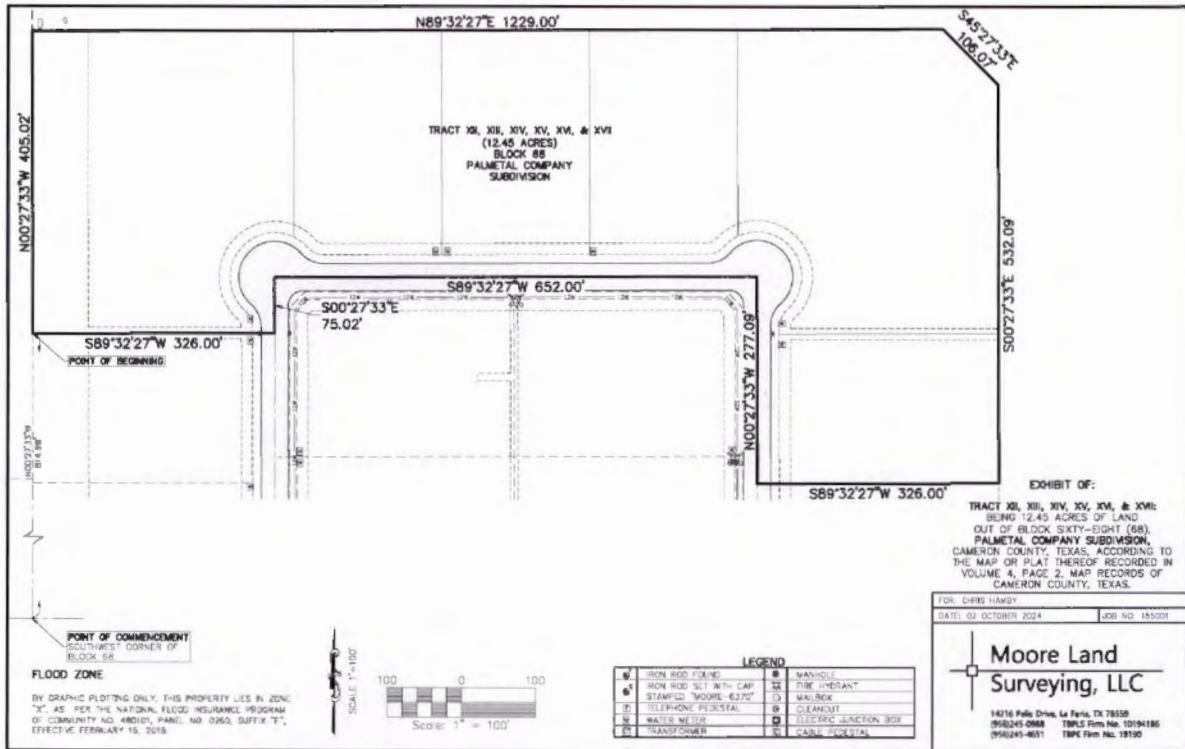
Whiting Investments, Ltd. would like to voluntarily annex this property into the City of Harlingen as your earliest convenience.

Please let me know if you need anything else.

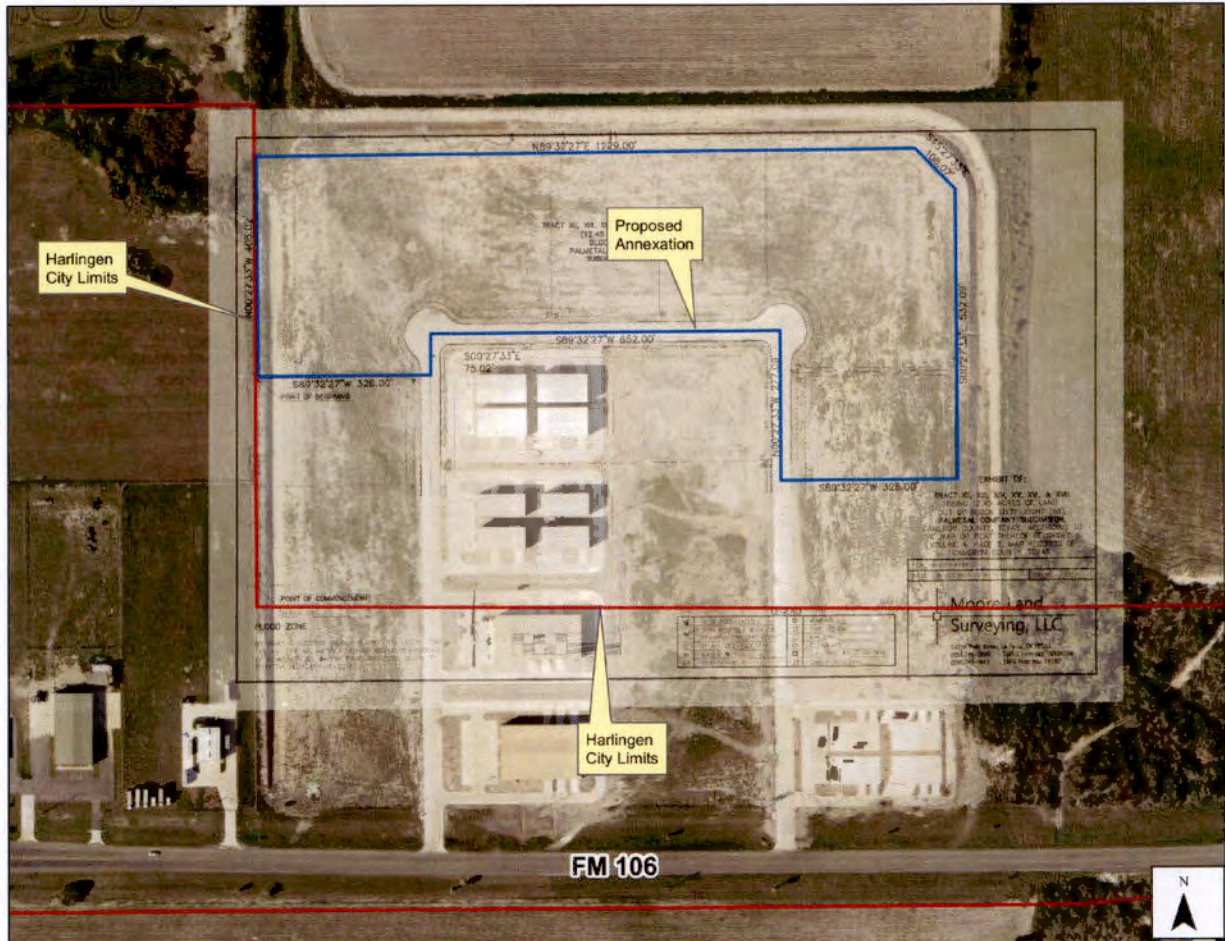
Sincerely,


Chris Hamby
Owner

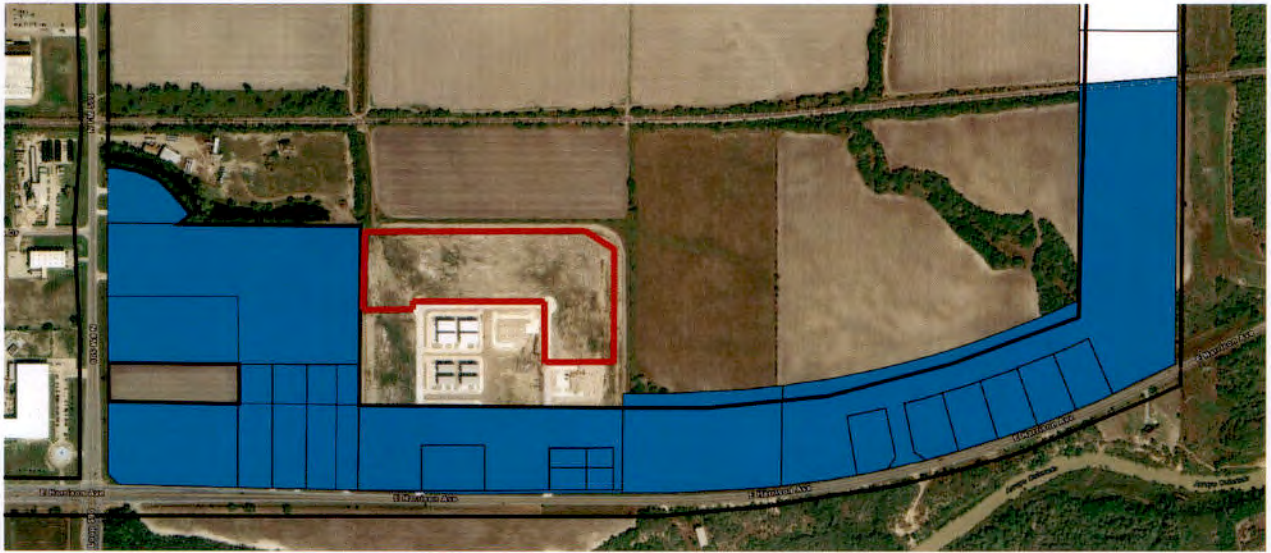
Attachment II- Property Survey



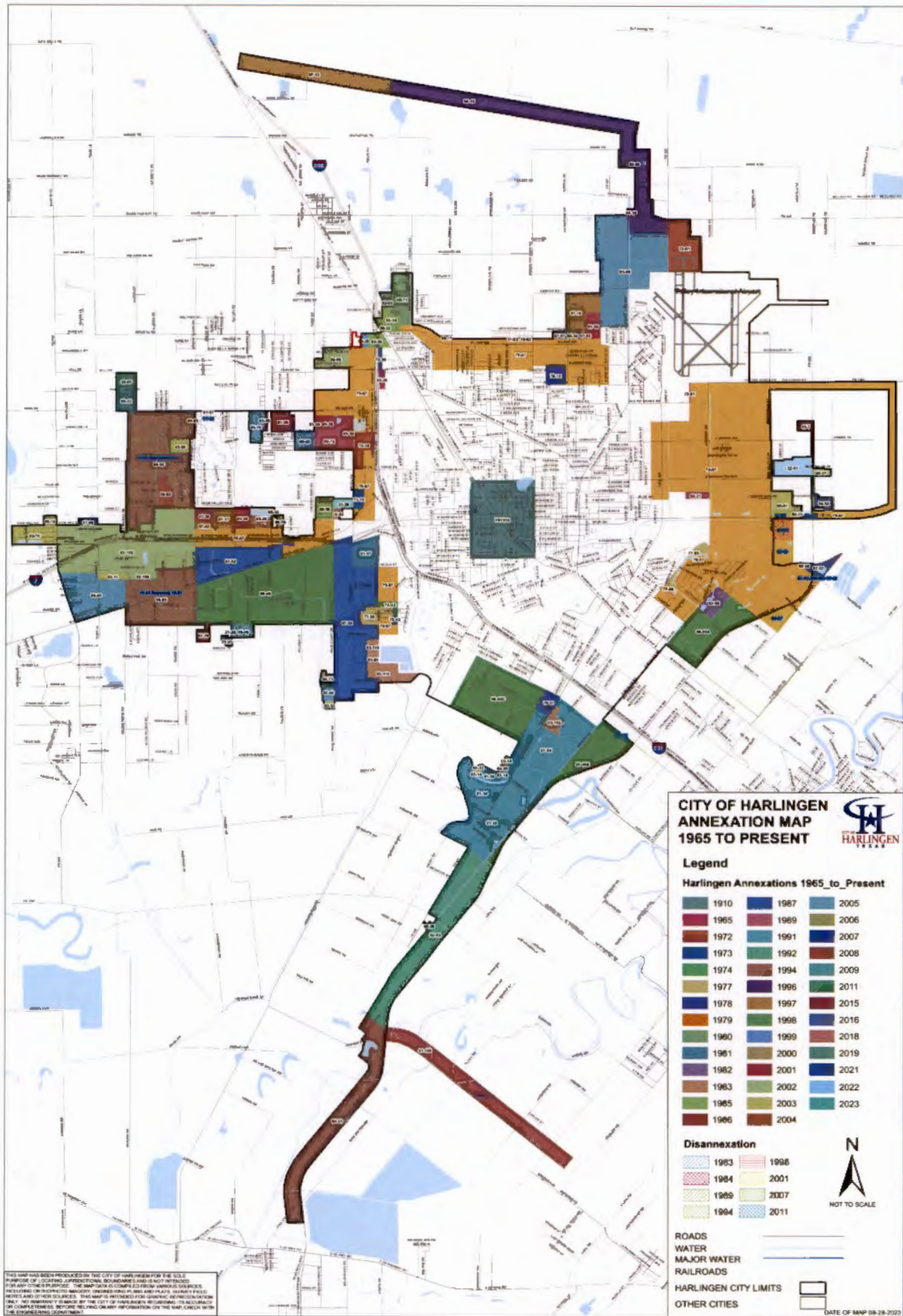
Attachment III- Aerial Photo with Existing City Limits



This is an aerial photograph used as a zoning map. A specific property is highlighted with a red outline. This property is situated between a residential area to the west and a larger, undeveloped area to the east. The residential area to the west is divided into several lots, some of which are shaded in blue. The area to the east of the red-outlined property is also shaded in blue and appears to be a larger, undeveloped lot. The map includes labels for 'H. C. WATSON AVE.' at the bottom and 'H. C. WATSON AVE.' on the right side. The overall layout shows a mix of developed and undeveloped land, with the red-outlined property being a key feature.



Attachment V- Annexation Map



ORDINANCE NO. 24-_____

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE A 12.45 ACRE TRACT OF LAND OUT OF BLOCK 68, PALMETAL COMPANY SUBDIVISION, LOCATED ALONG THE NORTH SIDE OF FM 106 APPROXIMATELY 1,295 FEET EAST OF FM 509; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING AN ANNEXATION SERVICES AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the "City") desires to annex approximately 12.45 acres of land situated along the north side of FM 106, approximately 1,295 feet east of FM 509 legally described as a 12.45-acre tract of land out of Block 68, Palmetal Company Subdivision and depicted in Exhibit "A", with the exhibit being attached hereto and incorporated herein by reference (collectively, the "Property"); and

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

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

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, Section 43.0672, the City has negotiated and entered into a written agreement dated September 26, 2024, with the owner of the Property regarding the

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

WHEREAS, the City Commission provided public notice and held public hearings on October 23, November 6, and November 20, 2024, for all interested persons to attend and be heard in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, § 43.0673; and

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

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

BE IT ORDAINED BY THE CITY OF HARLINGEN:

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

copy of this Ordinance in the office of the County Clerk of Cameron County, Texas, and in the official records of the City.

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

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

APPROVED ON FIRST READING on this ____ day of _____, 2024

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this ____ day of _____, 2024

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

EXHIBIT "A"

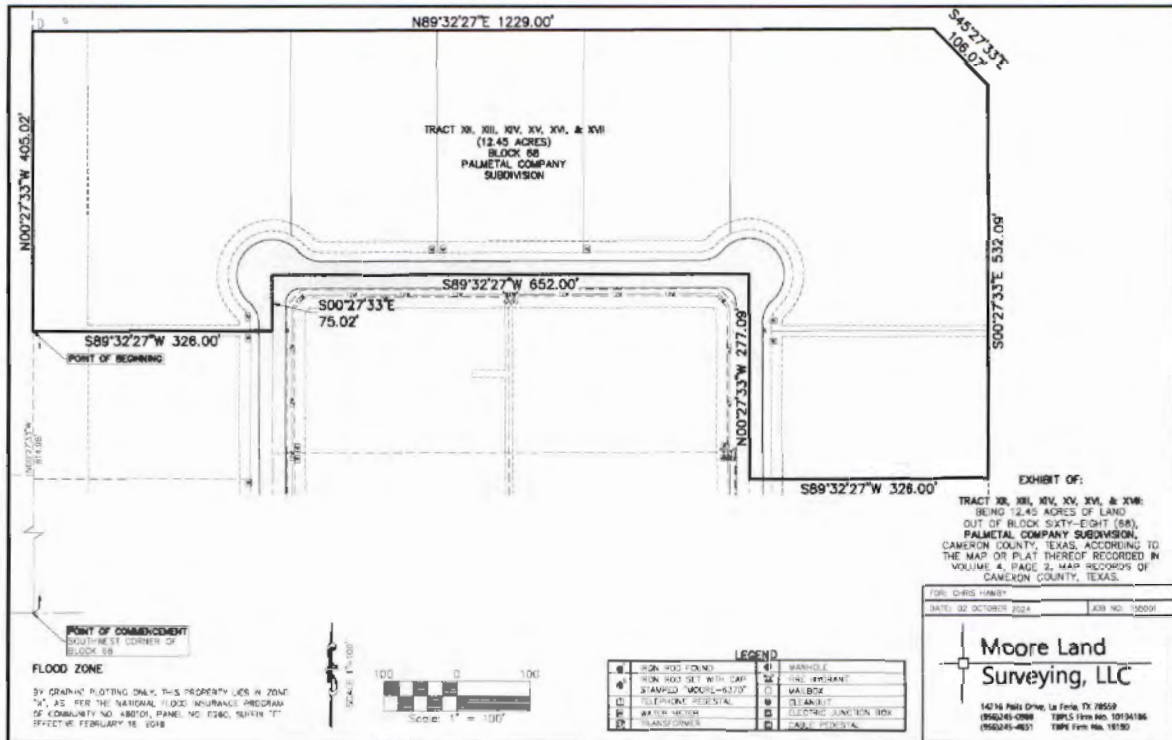


EXHIBIT "A"

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559

(956)245-0988

TBPLS Firm No. 10194186

October 02, 2024

METES AND BOUNDS

12.45 ACRES OF LAND (TRACT XII, XIII, XIV, XV, XVI, & XVII)

BEING 12.45 ACRES OF LAND out of Block 68, Palmetal Company Subdivision, Cameron County, Texas, recorded in Volume 4, Page 2, Map Records of Cameron County, Texas, being out of the tract of land described in Document No. 2018-8545, Official Records of Cameron County, Texas; said 12.45 Acres of land being more particularly described by metes and bounds as follows:

COMMENCING at the Southwest corner of Block 68, being within the right of way of F.M. 106,

THENCE along the West boundary of Block 68, NORTH 00 DEG. 27 MIN. 33 SEC. WEST at a distance of 12.99 feet pass the North right of way of F.M. 106, a total distance of 814.98 FEET to a point, for the Southwest corner and POINT OF BEGINNING of the tract herein described;

- 1) THENCE continuing along the West boundary of Block 68, NORTH 00 DEG. 27 MIN. 33 SEC. WEST a distance of 405.02 FEET to a point, for the Northwest corner of the tract herein described;
- 2) THENCE leaving the West boundary of Block 68, NORTH 89 DEG. 32 MIN. 27 SEC. EAST a distance of 1229.00 FEET to a point, for a corner of the tract herein described;
- 3) THENCE SOUTH 45 DEG. 27 MIN. 33 SEC. EAST a distance of 106.07 FEET to a point, for a corner of the tract herein described;
- 4) THENCE SOUTH 00 DEG. 27 MIN. 33 SEC. EAST a distance of 532.09 FEET to a point, for the Southeast corner of the tract herein described;
- 5) THENCE SOUTH 89 DEG. 32 MIN. 27 SEC. WEST a distance of 326.00 FEET to a point, for a corner of the tract herein described;
- 6) THENCE NORTH 00 DEG. 27 MIN. 33 SEC. WEST a distance of 277.09 FEET to a point, for a corner of the tract herein described;
- 7) THENCE SOUTH 89 DEG. 32 MIN. 27 SEC. WEST a distance of 652.00 FEET to a point, for a corner of the tract herein described;
- 8) THENCE SOUTH 00 DEG. 27 MIN. 33 SEC. EAST a distance of 75.02 FEET to a point, for a corner of the tract herein described;
- 9) THENCE SOUTH 89 DEG. 32 MIN. 27 SEC. WEST a distance of 326.00 FEET to the POINT OF BEGINNING; Containing 12.45 Acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane Coordinate System, South Zone, NAD 83.

Cody Michael Moore, R.P.L.S.

Registered Professional Land Surveyor No. 6370

Date



EXHIBIT "B"

WHITING INVESTMENTS. LTD.
PO BOX 532845
HARLINGEN, TEXAS 78553
(956)425-9922
(956)428-7174 FAX

September 26, 2024

Mr. Xavier Cervantes
City of Harlingen Planning and Zoning Director
502 E Tyler
Harlingen, TX 78550

24679 FM 2925
Rio Hondo, Texas

RE: Annexation of Property 6201 FM 106 Units 12 through 17

Mr. Cervantes:

Whiting Investments, Ltd. would like to voluntarily annex this property into the City of Harlingen as your earliest convenience.

Please let me know if you need anything else.

Sincerely,

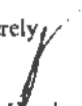

Chris Hamby
Owner

EXHIBIT "C"

ANNEXATION SERVICE AGREEMENT

SECTION 1. Pursuant to the provisions of V.T.C.A., Local Government Code Section 43.0672, in connection to the voluntary annexation of a 12.45-acre tract of land out of Block 68, Palmetal Company Subdivision, Cameron County, Texas, the owners(s) of the land in the area and the City of Harlingen ("City"), collectively referred to herein as the "Parties", hereby enter into this written Annexation Service Agreement as follows:

A. Services to be provided on the effective date of annexation unless otherwise specified.

1. Police Protection

Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on the effective date of annexation. Patrol positions will be added when population warrants.

2. Fire Protection

Fire protection by the present personnel and equipment of the fire fighting force within the limitations of available water will be provided on the effective date of annexation.

3. Emergency Medical Services

Emergency medical services will be provided through contract services on the effective date of annexation.

4. Environmental Health and Code Compliance

Health protection including the elimination of weedy lots, illegal dumping, unsanitary septic systems, sources of standing water and other public nuisances will be provided on the effective date of annexation.

Regulation of animal and fowl density will be provided on the effective date of annexation.

5. Solid Waste Collection

Pick up will begin on the effective date of annexation at the same level of service and cost provided to other similar areas presently found within the City of Harlingen.

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

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

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

SIGNED this 26th day of September, 2024.

CITY OF HARLINGEN

By: _____
Gabriel Gonzalez, CPM, City Manager

PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED ABOVE

By:  _____
Chris Hamby, Owner
Whiting Investments, LTD

10(6)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading 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 2426 E. Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. Subdivision. Attachment **(Planning & Development)**

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- August 19, 2024 – Application for Special Use Permit (SUP) submitted to the City. **(ATTACHMENT I)**
- September 23, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- September 28, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- October 23, 2024 – Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- November 6, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- November 20, 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 2426 E. Loop 499. The Stripes Convenience Store is approximately 4,648 square feet. **(ATTACHMENT II, III)**
- According to the site plan and information submitted, the applicant has applied to change their TABC application from a "Wine and Malt Beverage Retailers Off Premise Permit ("BQ") to a Wine and Malt Beverage Retail Dealer's On-Premise Permit ("BG"), which allows for the sale of wine and malt beverages for on- and off-premise consumption. The applicant is proposing to sell a wine based ready-to-drink product known as the "Margarita" for on-premise consumption. Seating will be provided indoors for the on-premise consumption. The hours of operation will be every day from 7:00 a.m. to 12:00 p.m. Sixteen (16) parking spaces are required, and sixteen (16) parking spaces are provided. **(ATTACHMENT IV AND V)**.
- Surrounding properties are zoned General Retail ("GR") District to the north, south, and west, and Planned Development ("PD") District to the east. Surrounding land uses consist of vacant commercial land to the north, south, and west, the Cornerstone Apartments to the west, and TSTC to the east. **(ATTACHMENT IV, V)**
- The Special Use Permit (SUP) for the Stripes Convenience Store located at 1610 S. F Street was approved by the Planning & Zoning Commission on March 27th, 2024, and by the City Commission on April 17th, 2024. Additionally, the Special Use Permits (SUPs) for

the following Stripes Convenience Stores located at 1725 S. F Street, 202 N. Ed Carey, 1250 N. 77 Sunshine Strip, and 1313 Haverford Boulevard, were approved by the Planning & Zoning Commission on September 25th, 2024, and by the City Commission on October 2nd, 2024. The Special Use Permit (SUP) for the Stripes Convenience stores located at 1837 Stuart Place Road and 1823 W. Tyler Avenue were approved by the Planning & Zoning Commission on October 9th, 2024. They are pending approval by the City Commission.

- 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 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 four notices to surrounding property owners.

Funding (if applicable):

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

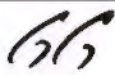
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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

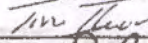
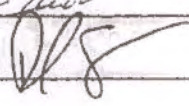
Comments:

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

ATTACHMENT I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

40754H

PROPERTY INFORMATION: (Please PRINT or TYPE)	
Project Address <u>2426 E LOOP 499</u>	Nearest Intersection <u>N Loop 499 and N 25th St.</u>
(Proposed) Subdivision Name <u>CBA SUBDIVISION</u>	Lot <u>1</u> Block <u>1</u>
Existing Zoning Designation <u>Retail</u>	Future Land Use Plan Designation <u>On Premise Alcohol Sales</u>
OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)	
Applicant/Authorized Agent <u>Tim Ilaoa</u>	Phone <u>972-890-2560</u> FAX <u>N/A</u>
Email Address (for project correspondence only): <u>tim@texaslicensing.net</u>	
Mailing Address <u>217 E. Main St. #819</u>	City <u>Royse City</u> State <u>TX</u> Zip <u>75189</u>
Property Owner <u>7-Eleven Inc.</u>	Phone <u>972-828-6265</u> FAX <u>N/A</u>
Email Address (for project correspondence only): <u>shantelle.grier-green@7-11.com</u>	
Mailing Address <u>P.O. Box 139044</u>	City <u>Dallas</u> State <u>TX</u> Zip <u>75313</u>
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: <u>Changing the alcohol type from off-premise alcohol sales to on-premise</u>	
*See enclosed letter	
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: <u></u>	Date: <u>8/15/2024</u>
Property Owner(s) Signature: <u></u>	Date: <u>8/15/2024</u>
Accepted by: _____	Date: _____

ATTACHMENT II

Street View from E. Loop 499



ATTACHMENT II

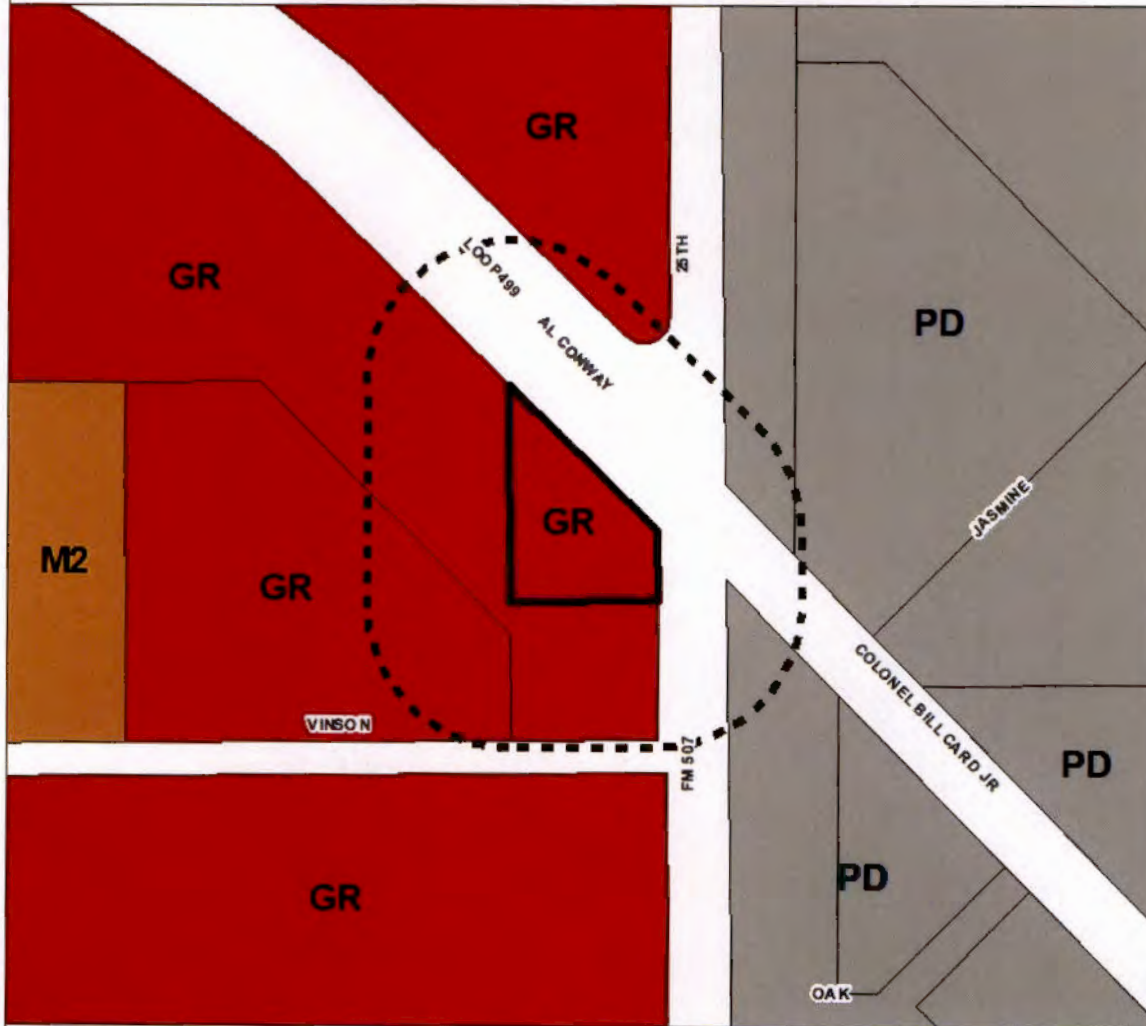
Street View from Morgan Boulevard



ATTACHMENT III



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 2426 E Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. 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 08.20.2024

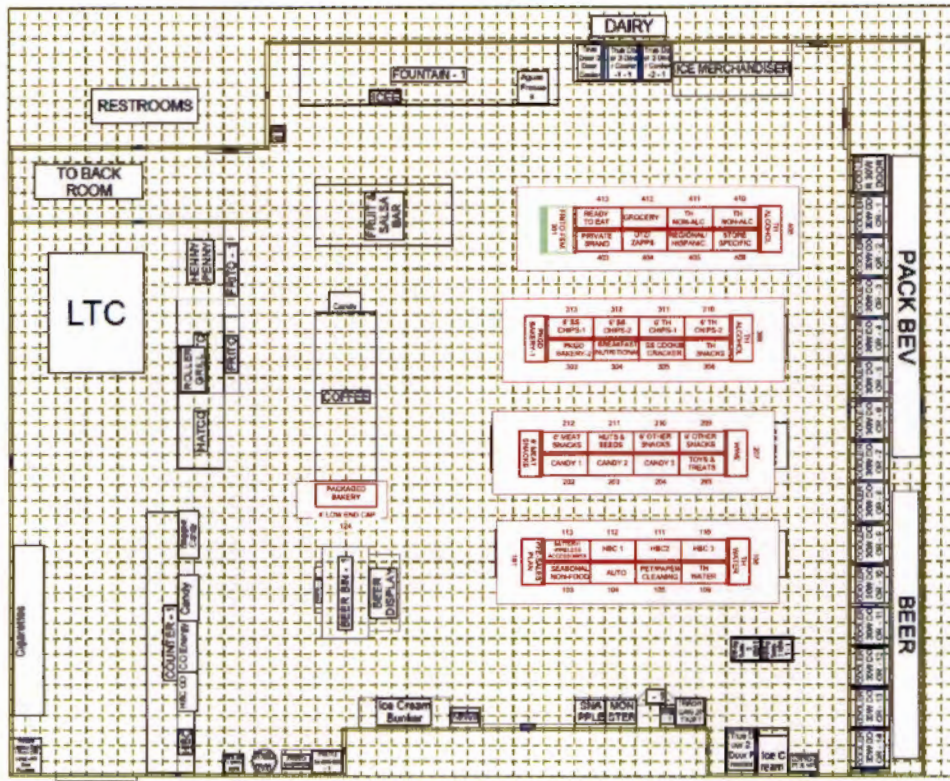
ATTACHMENT IV

Aerial View



[illegible]

ATTACHMENT VI – Floor Plan



LOW END CAPE

121	122	123
124	125	126



7-ELEVEN

DISCLAIMER:
THIS IS NOT A LEGAL
DOCUMENT. INTENT TO
SHOW CURRENT
EQUIPMENT
CONDITIONS

40754 - 2203
2426 E. LOOP 499
HARLINGEN, TX

DATE: 4-13-22

DATE: 4-13-22

THIS DRAWING IS FOR THE REVIEW / APPROVAL OF THE
MERCHANDISE FOOTPRINT AND RETAIL SECTIONS ONLY

7-Eleven Inc.
STORE DESIGN
MERCH
FOOTPRINT



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972) 890-2560

Location: 2426 E Loop 499

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 2426 E Loop 499, bearing a legal description of Lot I, Block I, C.B.A. Subdivision

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: **Applicant will have to meet any code, regulation, ordinance, and standard required for permit.**

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: October 15, 2024



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972)890-2560

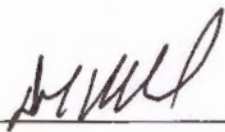
Location: 2426 E Loop 499

Project Description: 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 2426 E Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. Subdivision

Department: HARLINGEN POLICE DEPT.

Approval: ☒ YES ☐ NO

Comments:


Signature

10/15/24
Date

ATTACHMENT IX – Building Inspections



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972)890-2560

Location: 2426 E Loop 499

Project Description: 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 2426 E Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. Subdivision

Department: Building Permits and Inspections Department.

Approval: ☒ YES ☐ NO

Comments:

A Building Permit application for Re-Occupancy with floor plans must be submitted to the building department office for review for the proposed address to comply with the 2018 International Building Code and Family of Codes.

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

10/17/2024

Signature

Date

ATTACHMENT X – Health Department



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972)890-2560

Location: 2426 E Loop 499

Project Description: 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 2426 E Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. Subdivision

Department: Health Department

Approval: ☒ YES ☐ NO

Comments: 7-Eleven located at 2305 W. Loop 499 is currently permitted by the Health Department and by the Finance Department at City Hall to sell alcohol on their property. The health permit does not distinguish between the selling or the consumption of alcohol on the property, that rule falls under the Texas Alcohol and Beverage Commission (TABC) and the Texas Alcoholic Beverage Code – ALCO BEV 101.72 Consumption of Alcoholic Beverage on Premises Licensed for Off-Premises Consumption (a) A person commits an offense if the person knowingly consumes liquor or beer on the premises of a holder of a wine and beer retailer's off-premise permit or a retail dealer's off-premise license. No, you cannot drink alcohol in a convenience store in Texas if you are knowingly consuming liquor or beer. This is because it is illegal to consume alcohol on the premise of a retailer that holds an off-

ATTACHMENT X – Health Department con't.

**premise permit or license for wine and beer. 7-Eleven will have to apply for
On-premises Consumption Permit**



Signature

10-10-24

Date

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 GENERAL RETAIL ("GR") DISTRICT LOCATED AT 2426 E. LOOP 499, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 1, C.B.A SUBDIVISION PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Special Use Permit (SUP) issued to 7-Eleven Inc. to allow the sale of alcoholic beverages for on-site consumption in a General Retail ("GR") District located at 2426 E. Loop 499, bearing a legal description of Lot 1, Block 1, C.B.A. Subdivision 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 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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.

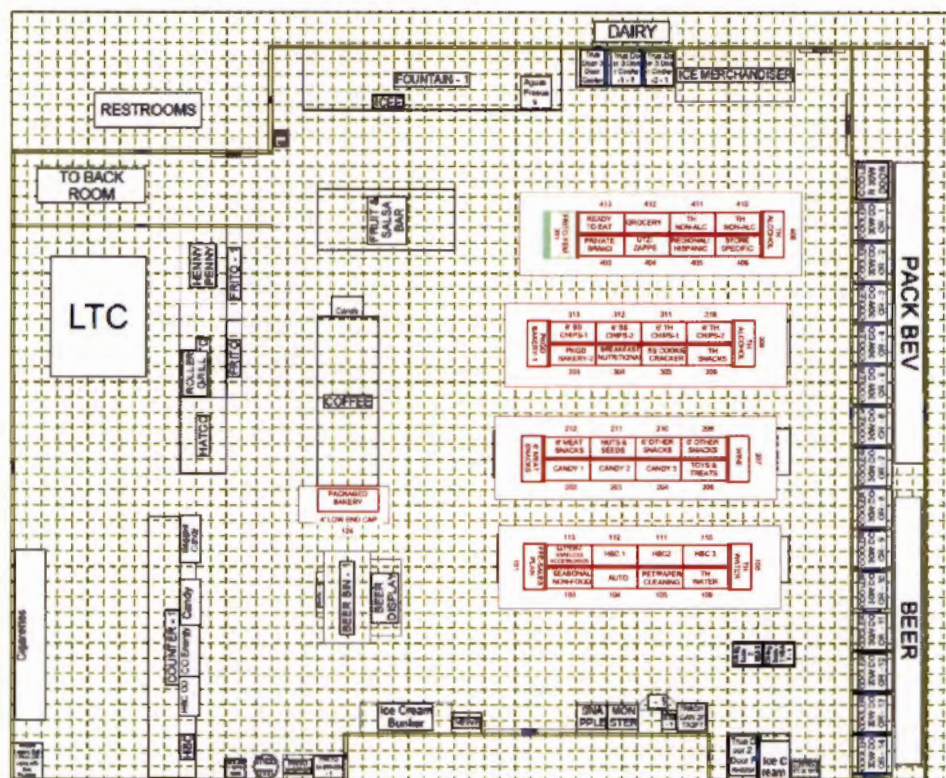
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



LOW END CAPS		
121	132	123
TH NON-ALC	TH NON-ALC	TH NON-ALC

THIS DRAWING IS FOR THE REVIEW / APPROVAL OF THE
MERCHANDISE FOOTPRINT AND RETAIL SECTIONS ONLY



7-ELEVEN

DISCLAIMER:
THIS IS NOT A LEGAL
DOCUMENT, INTENT TO
SHOW CURRENT
EQUIPMENT
CONDITIONS

7-ELEVEN
40754 - 2203
2426 E. LOOP 49
HARLINGEN, TX

Disturb. 271

DATE: **4-13-22**

7-Eleven Inc.
STORE DESIGN
MERCH
FOOTPRINT

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(c)

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District, located at 2305 W. Loop 499, bearing a legal description of Parts of Lots 1A, 1B, and 2A, and all of Lots 3A, 3B, and Lot 4, Block 4, Avondale Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- August 19, 2024 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I**)
- September 23, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- September 28, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- October 23, 2024 – Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- November 6, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- November 20, 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 2305 W. Loop 499. The Stripes Convenience Store is approximately 3,256 square feet. (**ATTACHMENT II, III**)
- According to the site plan and information submitted, the applicant has applied to change their TABC application from a "Wine and Malt Beverage Retailers Off Premise Permit ("BQ") to a Wine and Malt Beverage Retail Dealer's On-Premise Permit ("BG"), which allows for the sale of wine and malt beverages for on- and off-premise consumption. The applicant is proposing to sell a wine based ready-to-drink product known as the "Margarita" for on-premise consumption. Seating will be provided indoors for the on-premise consumption. The hours of operation will be every day from 7:00 a.m. to 12:00 p.m. Twelve (12) parking spaces are required, and sixteen (16) parking spaces are provided. (**ATTACHMENT IV AND V**).
- Surrounding properties are zoned General Retail ("GR") District to the north, south, east, and west. Surrounding land uses consist of a Stripes Convenience Store, a Church's Chicken, and an O'Reilly's Auto Parts to the north, Garcia's Welding, Antojitos Mi Reynita, and Los Herrera's Mexican Grill to the east, a Watermill Express, and Single-Family Homes to the south, and vacant commercial land to the west. (**ATTACHMENT IV, V**)
- The Special Use Permit (SUP) for the Stripes Convenience Store located at 1610 S. F

Street was approved by the Planning & Zoning Commission on March 27th, 2024, and by the City Commission on April 17th, 2024. Additionally, the Special Use Permits (SUPs) for the following Stripes Convenience Stores located at 1725 S. F Street, 202 N. Ed Carey, 1250 N. 77 Sunshine Strip, and 1313 Haverford Boulevard, were approved by the Planning & Zoning Commission on September 25th, 2024, and by the City Commission on October 2nd, 2024. The Special Use Permit (SUP) for the Stripes Convenience stores located at 1837 Stuart Place Road and 1823 W. Tyler Avenue were approved by the Planning & Zoning Commission on October 9th, 2024. They are pending approval by the City Commission.

- 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 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 four notices to surrounding property owners.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval 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 the Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

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

407034

PROPERTY INFORMATION: (Please PRINT or TYPE)	
Project Address <u>2305 Loop 499</u>	Nearest Intersection <u>9th and Carrol</u>
(Proposed) Subdivision Name <u>CBS Subdivision</u>	Lot <u>1</u> Block <u>1</u>
Existing Zoning Designation <u>Retail</u>	Future Land Use Plan Designation <u>On Premise Alcohol Sales</u>
OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)	
Applicant/Authorized Agent <u>Tim Ilaoa</u>	Phone <u>972-890-2560</u> FAX <u>N/A</u>
Email Address (for project correspondence only): <u>tim@texaslicensing.net</u>	
Mailing Address <u>217 E. Main St. #819</u>	City <u>Royse City</u> State <u>TX</u> Zip <u>75189</u>
Property Owner <u>7-Eleven Inc.</u>	Phone <u>972-828-6265</u> FAX <u>N/A</u>
Email Address (for project correspondence only): <u>shantelle.grier-green@7-11.com</u>	
Mailing Address <u>P.O. Box 139044</u>	City <u>Dallas</u> State <u>TX</u> Zip <u>75313</u>
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: <u>Changing the alcohol type from off-premise alcohol sales to on-premise</u>	
<u>*See enclosed letter</u>	
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: <u>Tim Ilaoa</u>	Date: <u>8/15/24</u>
Property Owner(s) Signature: <u>[Signature]</u>	Date: <u>8/15/24</u>
Accepted by: _____	Date: _____

ATTACHMENT II

Street View from W. Loop 499



ATTACHMENT II

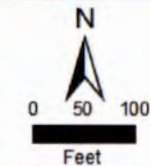
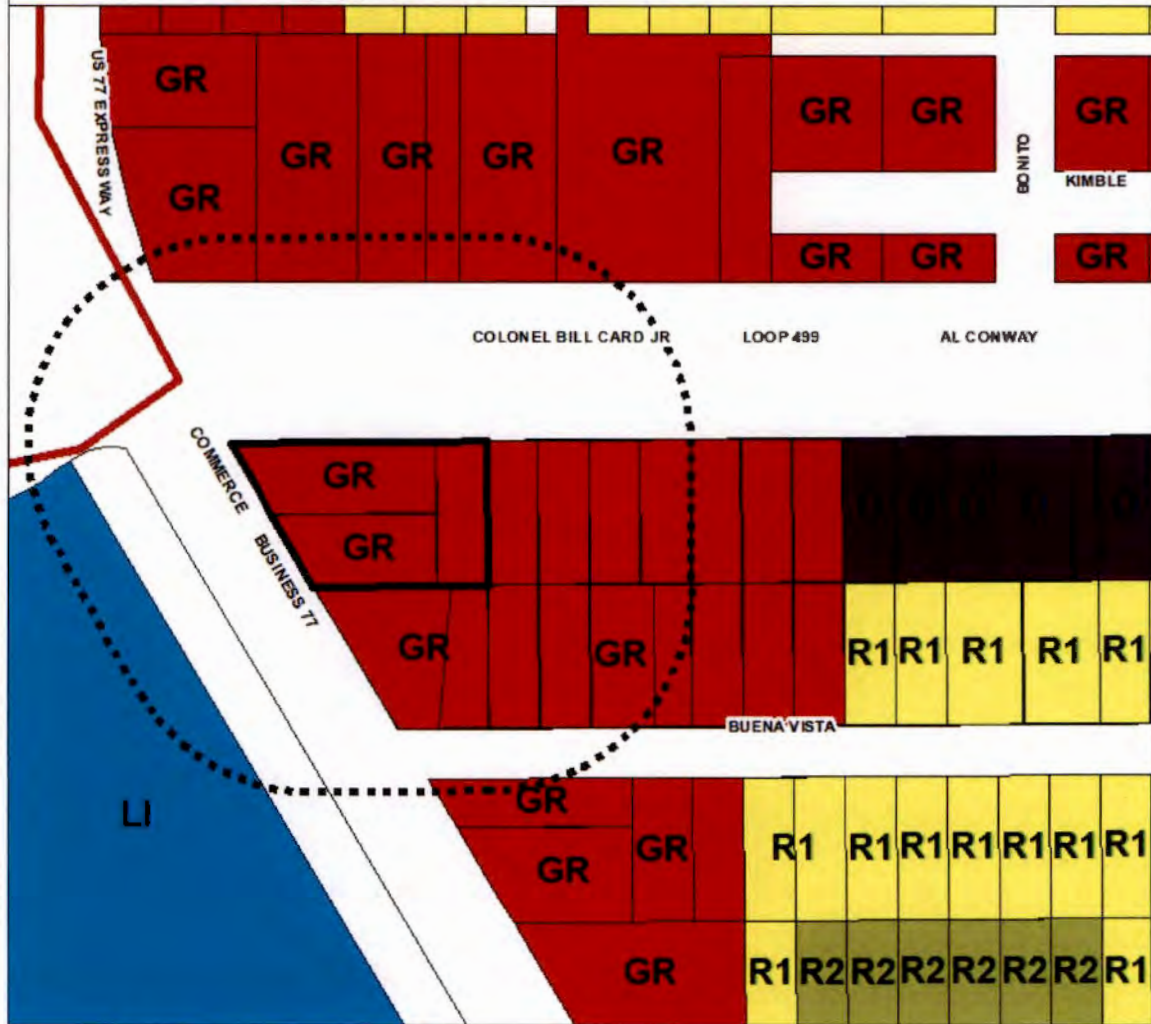
Street View from N. 77 Sunshine Strip



ATTACHMENT III



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 2305 W. Loop 499, bearing a legal description of Parts of Lots 1A, 1B, and 2A, and all of Lots 3A, 3B, and Lot 4, Block 4, Avondale 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 10.07.2024

ATTACHMENT IV

Aerial View



State Highway Loop 499
 10' With Public Right-of-Way - Asphalt Paved -

VESTED IN:
 ARNULFO RODRIGUEZ and
 ROSAURA E. RODRIGUEZ
 Vol 3634 Page 177
 PROPERTY ID: 66147
 GEO ID: 15-4480-0000-0011-00

VESTED IN:
 ARNULFO RODRIGUEZ and
 ROSAURA E. RODRIGUEZ
 Vol 3634 Page 180
 PROPERTY ID: 66150
 GEO ID: 15-4480-0000-0022-00

VESTED IN:
 ARNULFO RODRIGUEZ and
 ROSAURA E. RODRIGUEZ
 Vol 3634 Page 180
 PROPERTY ID: 66150
 GEO ID: 15-4480-0000-0022-00

One Story Shop Building
 1,235 Square Feet
 Height 10'

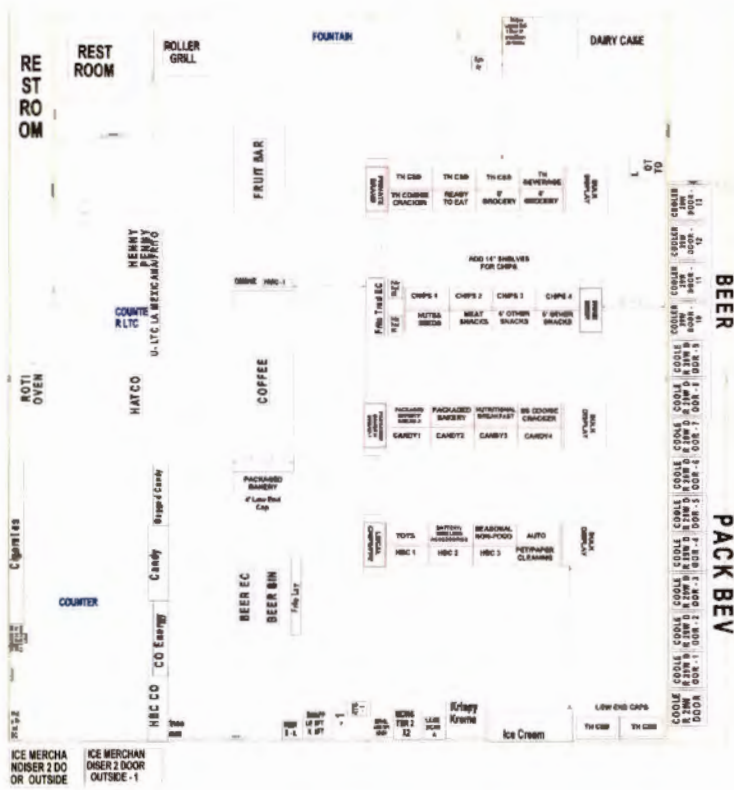
Garage

North 77 Sunshine Strip

BASIS OF BEARING:
 The basis for all bearings shown herein is the S. 01° 05' E. line on being E. of property line per Plat recorded Volume 8, Page 23 of the Cameron County Records.

SURVEYOR'S OBSERVATIONS:
 At the time of this survey, there was no visible evidence of encroachments or violations.

ATTACHMENT VI – Floor Plan



DISCLAIMER:
THIS IS NOT A 3D
VOLUME. IT IS A 2D
FLOOR PLAN.
EQUIPMENT LOCATIONS
ARE APPROXIMATE.

40703-2194
Harlingen, TX

MD
NOT TO SCALE
Revised
5-1-19
Approved by
Ops
7-Eleven Inc.
Floor Planning Team

40703-
2194

For questions or concerns, please contact: GM-HorizonPlanogramSupport@7-11.com



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972) 890-2560

Location: 2305 W Loop 499

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 2305 W. Loop 499.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: **Applicant will have to meet any code, regulation, ordinance, and standard required for permit.**

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: October 15, 2024



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972) 890-2560

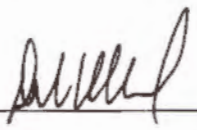
Location: 2305 W. Loop 499

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 2305 W. Loop 499.

Department: HARLINGEN POLICE DEPT.

Approval: ✓ YES NO

Comments:


Signature

10/15/21
Date



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972) 890-2560

Location: 2305 W. Loop 499

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 2305 W. Loop 499.

Department: Building Permits and Inspections Department.

Approval: ☒ YES ☐ NO

Comments:

A Building Permit application for Re-Occupancy with floor plans must be submitted to the building department office for review for the proposed address to comply with the 2018 International Building Code and Family of Codes.

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

10/17/2024

Signature

Date



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Phone No.: (972) 890-2560

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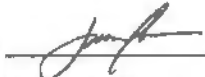
Department: Health Department

Approval: ☒ YES ☐ NO

Comments: 7-Eleven located at 2305 W. Loop 499 is currently permitted by the Health Department and by the Finance Department at City Hall to sell alcohol on their property. The health permit does not distinguish between the selling or the consumption of alcohol on the property, that rule falls under the Texas Alcohol and Beverage Commission (TABC) and the Texas Alcoholic Beverage Code – ALCO BEV 101.72 Consumption of Alcoholic Beverage on Premises Licensed for Off-Premises Consumption (a) A person commits an offense if the person knowingly consumes liquor or beer on the premises of a holder of a wine and beer retailer's off-premise permit or a retail dealer's off-premise license. No, you cannot drink alcohol in a convenience store in

ATTACHMENT X – Health Department con't.

Texas if you are knowingly consuming liquor or beer. This is because it is illegal to consume alcohol on the premise of a retailer that holds an off-premise permit or license for wine and beer. 7-Eleven will have to apply for On-premises Consumption Permit



Signature

10-10-24

Date

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") DISTRICT LOCATED AT 2305 W. LOOP 499, BEARING A LEGAL DESCRIPTION OF PARTS OF LOTS 1A, 1B, AND 2A AND ALL OF LOTS 3A, 3B, AND LOT 4, BLOCK 4, AVONDALE SUBDIVISION PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

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

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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.

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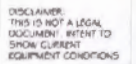
FINALLY ENACTED this ____ day of _____, 2024 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary



DRAWN BY MD

NOT TO SCALE

DATE Revised
8-1-19
Approved by
Ops

7-Eleven Inc.
Floor Planning Team

40703-
2194

For questions or concerns, please contact: GM-HorizonPlanogramSupport@7-11.com

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(d)

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading 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 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)

Prepared By: **Xavier Cervantes, AICP, CPM**

Title: **Planning and Development Director**

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- August 19, 2024 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I**)
- October 8, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- October 12, 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.
- October 23, 2024 – Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- November 6, 2024 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- November 20, 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 2423 E. Tyler Ave. The Stripes Convenience Store is approximately 4,008.00 square feet. (**ATTACHMENTS II, III**)
- Based on the site plan and information submitted, the applicant has applied to change their TABC application from a "Wine and Malt Beverage Retailers Off Premise Permit ("BQ") to a Wine and Malt Beverage Retail Dealer's On-Premise Permit ("BG"), which allows for the sale of wine and malt beverages for on- and off-premise consumption. The applicant is proposing to sell a wine based ready-to-drink product known as the "Margarita" for on-premise consumption. Seating will be provided indoors for the on-premise consumption. The hours of operation will be every day from 7:00 a.m. to 12:00 p.m. Eleven (11) parking spaces are required, and twenty-two (22) parking spaces are provided. (**ATTACHMENTS II,**

III)

- Surrounding properties are zoned General Retail ("GR") District to the north, east, south, and west. Surrounding land uses consist of a home care facility to the north, vacant land to the east, a commercial plaza to the south, and a health and wellness center to the west. **(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 needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- 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 nine (9) legal notices to the surrounding property owners.

Funding (if applicable):

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

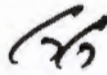
*If no, specify source of funding and amount requested:

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 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 7:00 am to 12:00 pm, every day.

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

40759H

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 2423 E Tyler Nearest Intersection Tyler and Harrison Ave
(Proposed) Subdivision Name Tex-Mart #35 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@711.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>	☐ 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: Changing the alcohol type from off premise alcohol sales to on premise
*See enclosed letter

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 Tim Ilaoa Date 08/16/2024

*Property Owner(s) Signature: [Signature] Date 8/16/2024

Accepted by: _____ Date _____



7-ELEVEN

RECALCIBO:
THIS IS NOT A LEGAL
DOCUMENT. INTENT TO
SHOW CURRENT
EQUIPMENT CONDITIONS

40759-9135
2423 E. TYLER ABE.
HARLINGEN, TX 78550

Mid

NOT TO SCALE
DATE **PW/ISSD**

7-31-11
APPROVED
BY OPS

7-Eleven Inc.
Floor Planning Team

40759-9135

For questions or concerns, please contact: GM-HorizonPlanogramSupport@7-11.com

ATTACHMENT II

Street View from E Harrison Ave



ATTACHMENT II

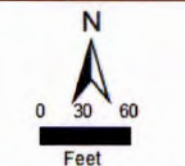
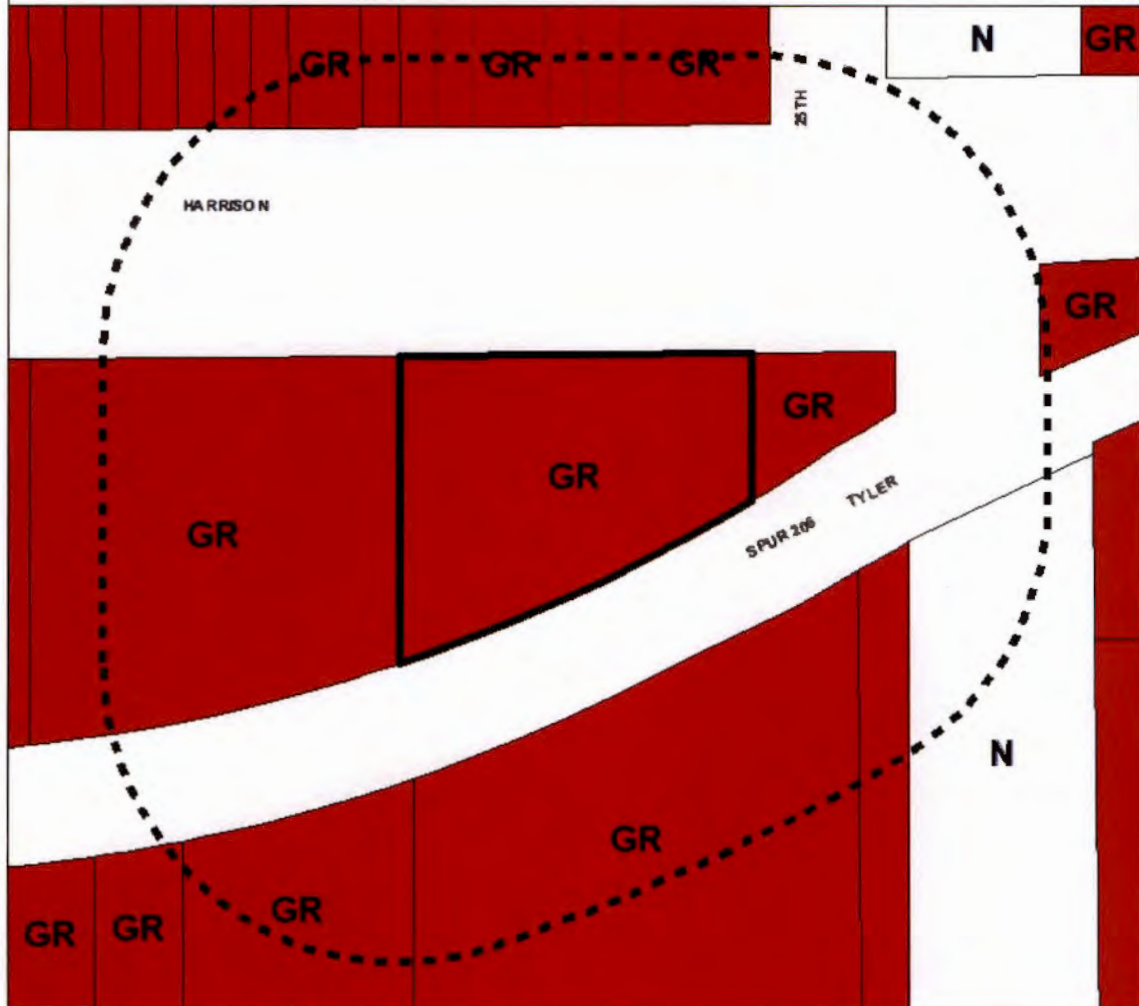
Street View from E Tyler



ATTACHMENT IV



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 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 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 08.19.2024

ATTACHMENT V

Aerial View





Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972) 890-2560

Location: 2423 E Tyler Avenue

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 2423 E Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: **Applicant will have to meet any code, regulation, ordinance, and standard required for permit.**

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: October 17, 2024

ATTACHMENT VII – Building Inspections



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972)890-2560

Location: 2423 E. Tyler Avenue

Project Description: 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 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision.

Department: Building Permits and Inspections Department.

Approval: ☒ YES ☐ NO

Comments:

A Building Permit application for Re-Occupancy with floor plans must be submitted to the building department office for review for the proposed address to comply with the 2018 International Building Code and Family of Codes.

10/17/2024

Signature

Date



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972)890-2560

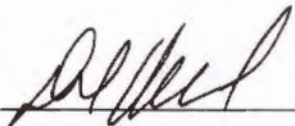
Location: 2423 E. Tyler Avenue

Project Description: 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 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision.

Department: HARLINGEN POLICE DEPT.

Approval: ☒ YES ☐ NO

Comments:


Signature

10/15/24
Date



Specific Use Permit ("SUP") Routing Slip

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

Phone No.: (972)890-2560

Location: 2423 E. Tyler Avenue

Project Description: 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 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mart #35 Subdivision.

Department: Health Department

Approval: ☒ YES ☐ NO

Comments: 7-Eleven located at 2423 E. Tyler Ave. is currently permitted by the Health Department and by the Finance Department at City Hall to sell alcohol on their property. The health permit does not distinguish between the selling or the consumption of alcohol on the property, that rule falls under the Texas Alcohol and Beverage Commission (TABC) and the Texas Alcoholic Beverage Code – ALCO BEV 101.72 Consumption of Alcoholic Beverage on Premises Licensed for Off-Premises Consumption (a) A person commits an offense if the person knowingly consumes liquor or beer on the premises of a holder of a wine and beer retailer's off-premise permit or a retail dealer's off-premise license. No, you cannot drink alcohol in a convenience store in Texas if you are knowingly consuming liquor or beer. This is because it is illegal to consume alcohol on the premise of a retailer that holds an off-

premise permit or license for wine and beer. 7-Eleven will have to apply for
On-premises Consumption Permit



Signature

10-7-24

Date

ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO TIM ILAOA TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 2423 E. TYLER AVENUE, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 1, TEX-MEX #35 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 Tim Ilaoa to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at 2423 E. Tyler Avenue, bearing a legal description of Lot 1, Block 1, Tex-Mex #35 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 7:00 am to 12:00 pm, every day.

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.

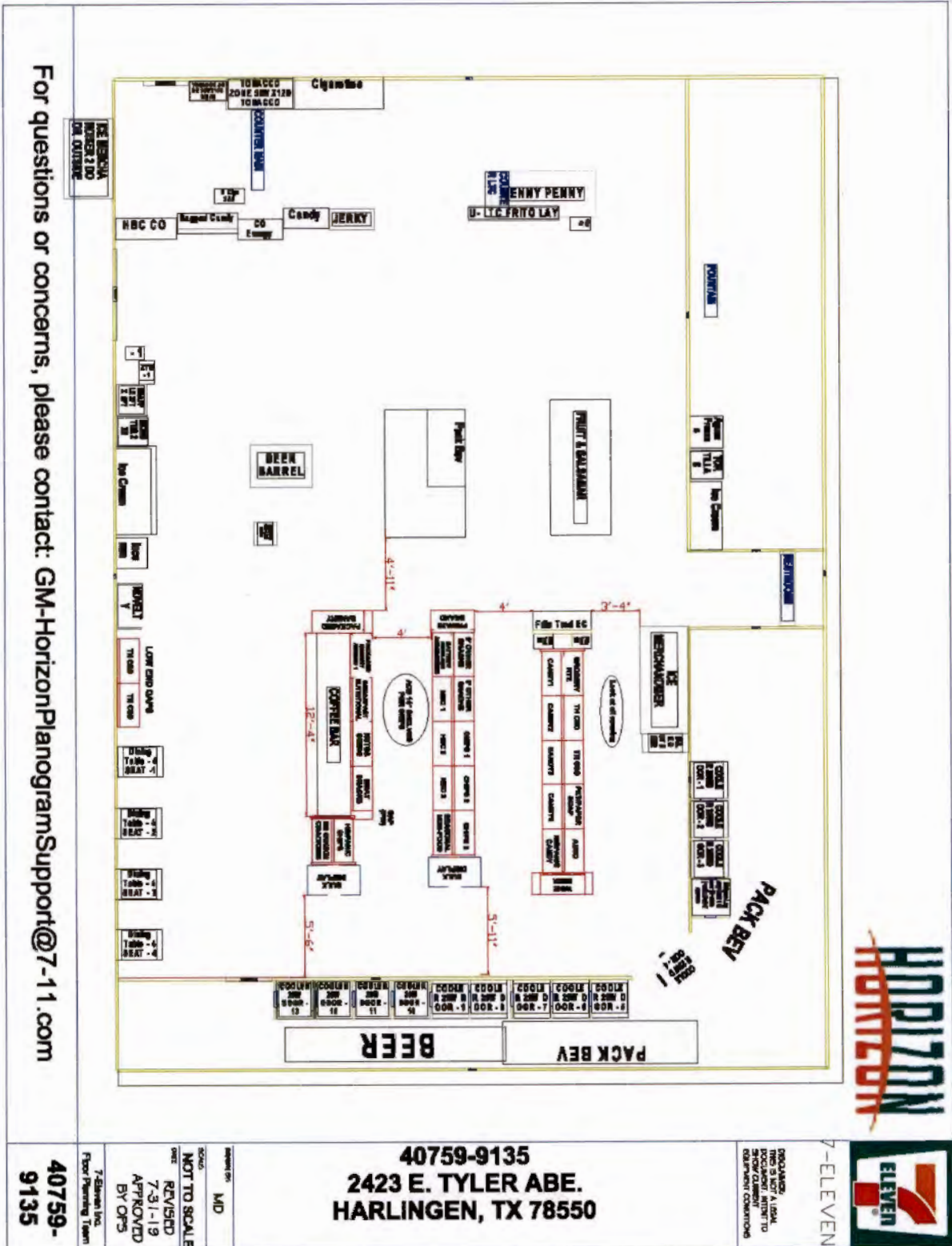
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



10(e)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to approve an ordinance amending ordinance # 10-37 to ensure full compliance with Chapter 2303 of the Texas Government Code.

Prepared By (Print Name): Beverly Ticer Loftus
Title: Chief Operating Officer

Signature:

Beverly Ticer Loftus

Brief Summary:

VHS Harlingen Hospital (dba Valley Baptist Harlingen Hospital) is requesting an EZ designation from the City to apply for the State's Enterprise Zone program. VHS Harlingen plans to invest \$15 million over the 5-year designation period to upgrade the facility with more efficient and impactful machinery and equipment. VHS Harlingen will also retain up to 490 full-time jobs.

The proposed revised language under the Texas Enterprise Zone Ordinance (10-37) ensures full compliance with Chapter 2303 of the Texas Government Code. The amended ordinance includes the addition of the following language: "the City finds that it is in full compliance with Chapter 2303, Texas Government Code prior to nomination of an eligible business."

The ordinance recognizes the city's ability to nominate projects for the state's Texas Enterprise Project Program and officially nominates VHS Harlingen Hospital Company for this program to the State of Texas.

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:

HEDC Staff recommends approval.

Staff Member: Orlando Campos

Title: CEO

Signature:

Orlando Campos

City Manager's approval:

CC

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☐ Yes ☐ No ☐ N/A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HARLINGEN, TEXAS, REAFFIRMING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT"); CONFIRMING THE DESIGNATION OF A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES; PROVIDING AVAILABLE TAX INCENTIVES; AND ALLOWING FOR FUTURE NOMINATIONS OF QUALIFIED BUSINESSES AND ENTERPRISE PROJECTS TO BE APPROVED BY RESOLUTION IF NOMINEE MEETS ALL REQUIREMENTS AS ESTABLISHED BY THE ACT AND ANY OTHER APPLICABLE STATE LAW.

WHEREAS, the City Council of the City of Harlingen ("City") has previously passed Ordinance No. 10-37 on August 18, 2010, electing to participate in the Texas Enterprise Zone Program; and

WHEREAS, the City Council of the City of Harlingen, Texas ("City") reaffirms its desire to create the proper economic and social environment to induce the investment of private resources in productive business enterprise located in severely distressed areas of the City and to provide employment to residents of such areas for qualified businesses and enterprise projects; and

WHEREAS, the City reaffirms the designation of a liaison to oversee qualified businesses and enterprise projects it nominates under the Act and to communicate and negotiate with the Office of the Governor Economic Development and Tourism ("EDT"), the Economic Development Bank ("Bank"), enterprise projects, and other entities in an enterprise zone or affected by an enterprise zone; and

WHEREAS, the City finds that local incentives may be made available to the nominated project or activity of the qualified business as a Texas State Enterprise Zone Project (the ("TEZ Project")) on a case-by-case basis, taking into consideration the merit and eligibility of the TEZ Project; and

WHEREAS, the local incentives offered under this ordinance are the same on this date as were outline in Ordinance No. 10-37; and

WHEREAS, the City finds that the future nominations for a TEZ Project may be approved by resolution pursuant to Sec. 2303.4051(f), provided that such projects meet those requirements in accordance with Chapter 2303, Texas Government Code; and

WHEREAS, the City finds that it is in full compliance with Chapter 2303, Texas Government Code prior to nomination of an eligible business; and

WHEREAS, a public hearing to consider this ordinance was held by the City Council on November 6, 2024; and

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

SECTION 1. The city finds that future nominations of a TEZ project may be approved by resolution pursuant to Sec. 2303.4051(f), provided that such project meets those requirements pursuant to Chapter 2303, Texas Government Code.

SECTION 2. The local incentives listed in Ordinance 10-37 passed on August 18, 2010, at the election of the governing body, have not changed and may be available to the TEZ Project on a case-by-case basis, taking into consideration the merit and eligibility of the TEZ Project.

SECTION 3. The enterprise zone areas within the City, including its extraterritorial jurisdiction ("ETJ"), are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

SECTION 4. The City Council reaffirms the designation of the Mayor, or her designee, as the City's liaison to oversee enterprise projects it has nominated under the act and to communicate and negotiate with the EDT, the Bank, enterprise projects, and other entities in an enterprise zone or affected by an enterprise zone.

SECTION 5. The enterprise projects shall take effect on the date of designation of the enterprise projects by EDT and terminate five years from their respective date of designation.

SECTION 6. Harlingen areas automatically qualify for designation as an enterprise zone if the areas meet the requirements of section 2303.101 of the Act. Subject to annual review, the Bank has designated Cameron County as an economically distressed county within the State of Texas and thus areas located within Cameron and the ETJ automatically qualify for designation as an enterprise zone pursuant to Chapter 2303 of the Act.

SECTION 7. The statements set forth in the recitals of this Ordinance are declared to be true and correct and are incorporated as part of this Ordinance.

SECTION 8. This Ordinance shall be in full force and effect upon the date of its passage by City Council.

SECTION 9. This Ordinance shall supersede and be controlling over any conflicting provision in any ordinance or resolution previously approved or adopted by City Council.

[Signatures Continue on Following Page]

PASSED AND ADOPTED this _____ day of November, 2024.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Clerk

APPROVED AS TO FROM:

Mark Sossi, City Attorney

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF **HARLINGEN**, TEXAS, ORDAINING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (ACT), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING THE **DISH NETWORK L.L.C.** TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK) AS AN ENTERPRISE PROJECT (PROJECT).

WHEREAS, the City Commission of the City of **HARLINGEN**, Texas (City) desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the city and to provide employment to residents of such area; and

WHEREAS, the project or activity is located in an area designated as an enterprise zone; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Act, Dish Network L.L.C. has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that Dish Network L.L.C. meets the criteria for tax relief and other incentives adopted by the City on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, a public hearing to consider this ordinance was held by the City Commission on August 4, 2010;

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

Section 1: The City nominates **Dish Network L.L.C.** for enterprise project status.

Section 2: The following local incentives, at the election of the governing body, are or will be made available to the nominated project or activity of the qualified business:

- a) The City may abate taxes on the increase in value of real property improvements and eligible personal property that locate in a designated enterprise zone outside the city. The level of abatement shall be based upon the extent to which the business receiving the abatement creates jobs for qualified employees, in accordance with the City of Harlingen Tax Abatement Policy, and with qualified employee being defined by the Act.
- b) The City may provide regulatory relief to businesses, including:
 - 1) zoning changes or variances; or
 - 2) streamlined permitting.
- c) The City may provide enhanced municipal services to businesses, including:
 - 1) improved police and fire protection;
 - 2) institution of community crime prevention programs; or
 - 3) special public transportation routes or reduced fares.
- d) The City may provide improvements in community facilities, including:
 - 1) capital improvements in water and sewer facilities; or
 - 2) road repair and creation

- e) The City may provide improvements to housing, including:
 - 1) low-interest loans for housing rehabilitation, improvement, or new construction;
- f) The City may provide business and industrial development services, including:
 - 1) low-interest loans for business;
 - 2) provision of publicly owned land for development purposes, including residential, commercial, or industrial development;
 - 3) creation of special one-stop permitting and problem resolution centers or ombudsmen; or
 - 4) promotion and marketing services.
- g) The City may provide job training and employment services to businesses, including:
 - 1) retraining programs;
 - 2) literacy and employment skills programs;
 - 3) vocational education; or
 - 4) customized job training.
- h) The City may provide Freeport Exemption
- i) The City may provide Economic Development 4A and 4B funding.
- j) The City may provide Tax Increment Financing

Section 3: The City of HARLINGEN City Commission directs and designates its Mayor, or his designee, as the City's liaison to communicate and negotiate with the EDT through the Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.

Section 4: The City finds that Dish Network L.L.C. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

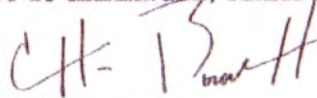
- (a.) Dish Network L.L.C. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone in the governing body's jurisdiction and at least twenty-five percent (25%) of the business' new employees will be residents of an Enterprise Zone or economically disadvantaged individuals; and
- (b.) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area; and
- (c.) The designation of Dish Network L.L.C. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

Section 5: The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate five (5) years after EDT's date of designation.

Section 6: This ordinance shall take effect from and after its passage as the law and charter in such case provides.

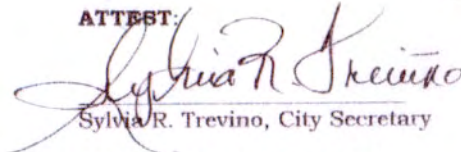
PASSED, APPROVED AND ADOPTED this 18 day of August, 2010, by a vote of 5 yes and 0 nays at a regular meeting of the Elective Commission of the Harlingen, Cameron County, Texas at which a quorum was present and which was held in accordance with the Texas Government Code, Title 5, Subtitle A, Chapter 551.

CITY OF HARLINGEN, TEXAS

A handwritten signature in dark ink, appearing to read "CH-13" followed by a stylized flourish.

Chris Boswell, Mayor

ATTEST:

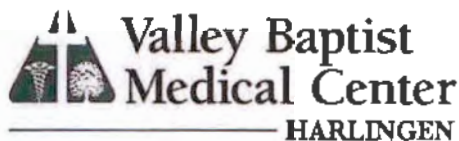
A handwritten signature in dark ink, appearing to read "Sylvia R. Trevino".

Sylvia R. Trevino, City Secretary

APPROVED AS TO FORM:

A handwritten signature in dark ink, appearing to read "Roxann Pais Cotroneo".

Roxann Pais Cotroneo, City Attorney



October 15, 2024

Ms. Norma Sepulveda
Mayor
City of Harlingen
118 E. Tyler Ave.
Harlingen, Texas 78550

Ms. Adrianna Cruz
Executive Director
Office of the Governor
Economic Development & Tourism
Post Office Box 12428
Austin, Texas 78711-2428

Re: Project Description Letter for VHS Harlingen Hospital Company, LLC
City of Harlingen, Texas Enterprise Project Application – Tab 12

Dear Mayor Sepulveda and Ms. Cruz:

VHS Harlingen Hospital Company, LLC (“VHS Harlingen”) is a wholly-owned subsidiary of Tenet Healthcare Corporation (“Tenet”). Tenet Hospitals Limited is a wholly-owned indirect subsidiary of Tenet Healthcare Corporation (“Tenet”). Tenet is an investor-owned healthcare services company whose subsidiaries and affiliates principally operate general hospitals and related ancillary healthcare businesses. Tenet operates 61 acute care hospitals and over 575 outpatient centers across the United States. Founded in 1967 and headquartered in Dallas, Texas, Tenet’s net revenue in 2023 was \$20.548 billion. Tenet employs approximately 106,500 people in the United States and has made a commitment to providing high-quality care to patients in the communities it serves.

VHS Harlingen is a full-service 586-bed hospital that features an Emergency Department, a Women’s Health Center, a Weight Loss Surgery Department, a Heart Clinic, a Wound Healing Department, and many other medical services and specialties. With this medical facility, VHS Harlingen is able to serve the Harlingen community and surrounding areas with a broad spectrum of advanced healthcare programs and clinical services.

In order to better serve the Harlingen community and improve the level of medical care it provides to patients, VHS Harlingen plans to invest \$15 million over the 5-year designation period to upgrade the facility with more efficient and impactful machinery and equipment. The hospital will upgrade CT equipment, X-ray system, MRI and cath lab equipment. The hospital will also replace O arm stealth stations & system, surgical equipment such as trauma drills, among many other upgrades to the facility. These planned investments will allow VHS Harlingen to continue to provide quality care to those in need and offer a wide range of services to the Harlingen community.

Section 2303.406(a)(4)(D) of the Texas Government Code allows a project or activity of a qualified business to be designated as an Enterprise Project and receive job retention benefits if

the business has clearly demonstrated that “the business is able to employ individuals in accordance with Section 2303.402.”

VHS Harlingen currently has 1,345 employees at the hospital. Of the 1,345 employees, 1,087 are full-time jobs per the definition of this program. VHS Harlingen will retain up to 490 full-time jobs, separate from the 500 jobs allocated for benefit under the prior designation. These jobs meet the definition of a “retained job” in Texas Government Code § 2303.401(2) because they currently exist, provide and will continue to provide at least 1,820 hours of employment annually, and will be employment positions for the longer of the duration of the project’s designation period or three years after the expiration date of the claim period for receipt of state benefit. VHS Harlingen also expects to add at least 10 new jobs over the years that will be pursued for benefit. At this time, VHS Harlingen expects no layoffs.

VHS Harlingen is located at 2101 Pease Street, Harlingen, Texas 78550 in Census Tract 113.02, Block Group 2, in the City of Harlingen with a 25.17% poverty level, as defined by the U.S. Census for 2020. Since Cameron County is a distressed county, VHS Harlingen is targeting the hiring of twenty-five percent (25%) economically disadvantaged persons, veterans or enterprise zone residents for new or replacement personnel for certified jobs during its Enterprise Project designation.

VHS Harlingen qualifies under Texas Government Code §2303.404 to receive an enterprise project designation because (1) it involves an expansion, renovation, or new construction; (2) it will be completed within the predetermined period of time not to exceed 5 years; (3) it utilizes an accounting system that allows for tracking of income and expenses related to their facility; and (4) it will maintain separate payroll and tax records of the business activity conducted at the qualified business site. Currently, VHS Harlingen does not have any transportation needs to be addressed by the Governor’s Office.

VHS Harlingen has three additional participating entities that all fall under the ownership of Tenet Healthcare Corporation: (1) Valley Health System, LLC, (2) Valley Real Estate Company, LLC, and (3) Valley Baptist Realty Company, LLC. Each of these entities may make qualified capital investment related to the Texas Enterprise Project at the Qualified Business Site, direct payment of state sales and use tax for items at the Qualified Business Site, and/or employ individuals at the Qualified Business Site.

VHS Harlingen is active in promoting wellness and educating the community about a variety of health related topics. Organizations the hospital supports include Alzheimer’s Association, American Cancer Society, Boys and Girls Club of Harlingen, Food Bank of Rio Grande Valley, and the Harlingen Consolidated Independent School District. VHS Harlingen has strong ties to the local business community and will continue to be an active participant, contributor and corporate citizen in the City of Harlingen.

VHS Harlingen’s investment into updating the Harlingen hospital is an exciting and integral part of its commitment to the Harlingen community. We thank you for your support, and look forward

Mayor Sepulveda
City of Harlingen
October 15, 2024
Page 3

Ms. Adrianna Cruz
Office of the Governor
Economic Development and Tourism

to working with the Office of the Governor and City of Harlingen under the Texas Enterprise Zone Program in the coming years.

Sincerely,



Edwin Cordero
Chief Financial Officer
VHS Harlingen Hospital Company, LLC

AGENDA ITEM
EXECUTIVE SUMMARY

10(f)

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to approve the preliminary construction plans and final plat of the proposed Skyline District Subdivision, bearing a legal description of 10.13 acres of land out of Block 19, Cunningham's Subdivision, located at the southeast corner of Primera Road and US Expressway 77. Applicant: Moore Land Surveying, LLC c/o CJE Construction.

Attachment (**Planning & Development**)

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- September 6, 2024 – Original Preliminary Construction Plans and Final Plat application submitted to the City. (**ATTACHMENT I**)
- September 25, 2024 – Letter sent to applicant outlining deficiencies; application deemed incomplete
- October 3, 2024 – Preliminary and final plat resubmitted to the City.
- October 17, 2024 – Preliminary construction plans and final plat deemed complete.
- October 23, 2024 – Consideration of the preliminary construction plans and final plat with conditions by the Planning and Zoning Commission.
- November 6, 2024 – Consideration of the preliminary construction plans and final plat by the City Commission.

Summary:

- The proposed Skyline District Subdivision consists of three (3) commercial lots and it is located at the southeast corner of Primera Road and US Expressway 77. (**ATTACHMENT II**)
- Drainage requirements meet the current standard for a 50-year storm.
- Water and wastewater services will be provided by HWWWS.
- The proposed subdivision is consistent with the General Retail ("GR") District zoning.
- The developer is proposing a multi-family development in Lot 3, Block 1 (the triangular lot along the east side of the subdivision). Park fees will be paid per dwelling unit during the building permit phase. The amount of park fees is undetermined at this time since the developer has not decided on the number of dwelling units for the apartment complex. The park fees would go to Park Zone 4 (the northwest zone). (**ATTACHMENTS V – VI**)
- The developer changed the name of the subdivision from Warehouse to Skyline District.

- All items on the preliminary and final plat checklist will be addressed prior to the recording of the final plat. **(ATTACHMENTS VII – X)**

Staff Recommendation:

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

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

Funding (if applicable):

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

Yes

No*

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

Finance Director's approval:

☐

Yes

☐

No

☐

N/A

City Manager's approval:

LS

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

☐

Yes

☐

No

☐

N/A

Attachment I—Subdivision Application

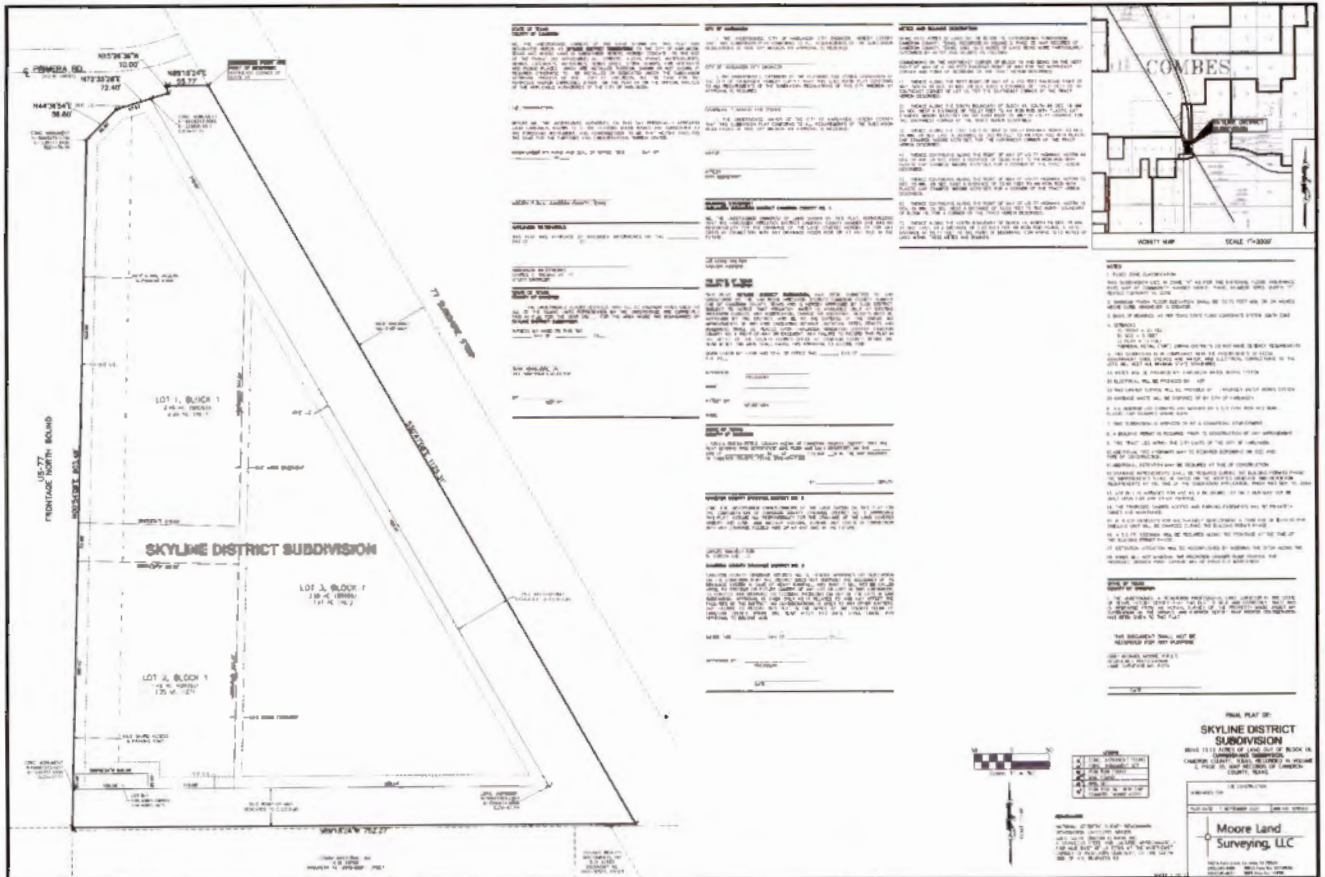
CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please **PRINT** or **TYPE**)Project Address PRIMERA RD Nearest Intersection PRIMERA RD & US EXP. 77(Proposed) Subdivision Name WAREHOUSE SUBDIVISION Lot _____ Block _____Existing Zoning Designation COMMERCIAL Future Land Use Plan Designation COMMERCIAL**OWNER/APPLICANT INFORMATION:** (Please **PRINT** or **TYPE**)Applicant/Authorized Agent MOORE LAND SURVEYING Phone 956-245-4651 FAX _____Email Address (for project correspondence only): D.MOORELANDSURVEYING@GMAIL.COMMailing Address 14216 PALIS DR City LA FERIA State TX Zip 78559Property Owner ROBERT FARRIS Phone 956-245-4651 FAX _____Email Address (for project correspondence only): robertfarris@aol.comMailing Address PO BOX 530010 City HARLINGEN State TX Zip 78553**Select appropriate process for which approval is sought. Attach completed checklists with this application.**☐ Annexation Request.....No Fee☐ Administrative Appeal (ZBA).....\$125.00☐ Comp. Plan Amendment Request...\$250.00☐ Re-zoning Request.....\$250.00☐ SUP Request/Renewal.....\$250.00☐ Zoning Variance Request (ZBA).....\$250.00☐ PDD Request.....\$250.00☐ License to Encroach.....\$250.00☒ Preliminary Construction Plans and Final Plat.....\$150.00☐ Minor Plat.....\$100.00☐ Re-Plat.....\$250.00☐ Vacating Plat.....\$250.00☐ Development Plat.....\$50.00☐ Subdivision Variance Request.....\$25.00 (each)☐ Right-of-Way / Utility Easement Abandonment.....No FeePlease provide a basic description of the proposed project: 3 LOT COMMERCIAL SUBDIVISION

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

Applicant's Signature: DUSTIN MOORE DUSTIN MOORE
2024.09.06 14:28:04 -05'00' Date: 9/6/24Property Owner(s) Signature: _____ Date: 9/6/24

Accepted by: _____ Date: _____

Attachment II —Final Plat

Attachment III - Aerial



Attachment IV – Street View

Street View from Primera Road



Street View from North 77 Sunshine Strip

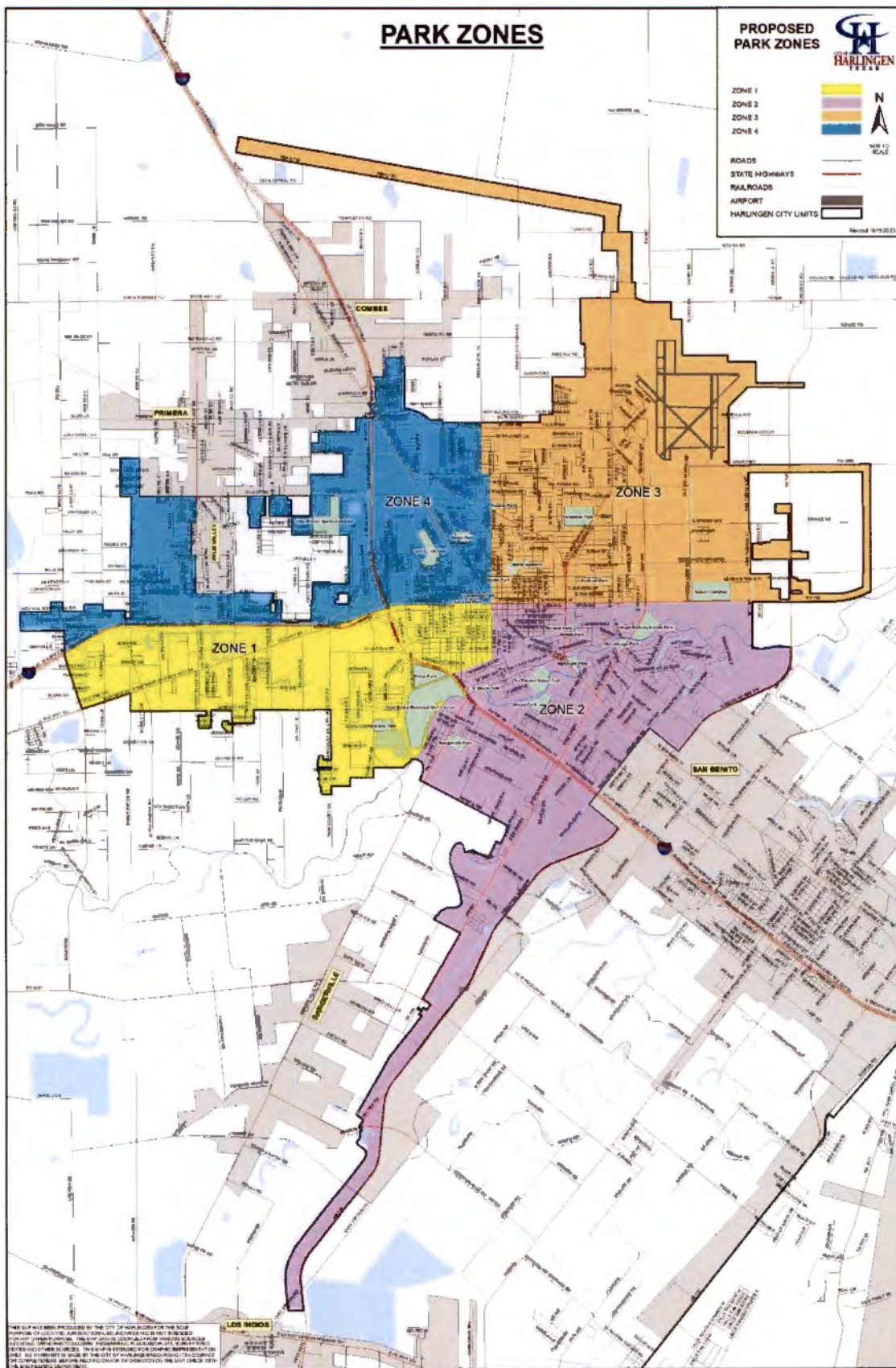


Attachment IV – Street View

Street View from US-77 Frontage



Attachment V – Park Zones Map



Attachment VI – Park Zones Fee Chart

PARK ZONE 1 – As of Oct. 18, 2024					
RATE	SUBDIVISION NAME	TYPE AND NUMBER OF LOTS	SUBDIVISION STATUS	REQUIRED PARK FEES AMOUNT PRIOR TO SUBDIVISION RECORDING	PAID
\$450/dwelling unit	Central Perk	4 single family	Under review	\$ 1,800.00	NO
\$450/dwelling unit	Trinity Heights Phase 2	74 duplex	Under construction	\$ 66,600.00	NO
\$450/dwelling unit	Agave Estates	80 single family	Under construction	\$ 36,000.00	NO
\$450/dwelling unit	Corsif Acres	1 single family	Under review	\$ 450.00	YES
\$450/dwelling unit	Dixieland Crossing	2 commercial lots and 24 single family lots	Under review	\$ 10,800.00	NO
	Total			\$ 115,650.00	

Funds in the bank for this park zone = \$450.00

PARK ZONE 2 – As of Oct. 18, 2024					
RATE	SUBDIVISION NAME	TYPE AND NUMBER OF LOTS	SUBDIVISION STATUS	REQUIRED PARK FEES AMOUNT PRIOR TO SUBDIVISION RECORDING	PAID
\$450/dwelling unit	Roberto Aguilar	2 single family	Under review	\$ 900.00	YES
	Total			\$ 900.00	

Funds in the bank for this park zone = \$900.00

Attachment VI – Park Zones Fee Chart

PARK ZONE 4 – As of Oct. 18, 2024					
RATE	SUBDIVISION NAME	TYPE AND NUMBER OF LOTS	SUBDIVISION STATUS	REQUIRED PARK FEES AMOUNT PRIOR TO SUBDIVISION RECORDING	PAID
\$450/dwelling unit	Stonebriar Phase 2	12 single family	Under review	\$ 5,400.00	NO
\$450/dwelling unit	Stonebriar Phase 3	125 single family	Under review	\$ 28,125.00	NO
\$450/dwelling unit	Ramos Acres	1 single family	Under review	\$ 450.00	NO
\$450/dwelling unit	Skyline District	3 commercial and possibly multifamily	Under review	Undetermined – funds will be collected during the building permit phase since we don't know how many units the apartment complex will have.	NO
	Total			\$ 33,975.00	



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

10/18/2024

Dustin Moore, PE
Moore Land Surveying
14216 Palis Drive
La Feria, Texas 78559

Re: Warehouse Subdivision

Dear Mr. Moore,

City staff reviewed the preliminary plans and final plat of the proposed "Warehouse Subdivision" submitted on October 2nd, 2024. The application is considered complete subject to a list of conditions from the different City Departments. If you are in agreement with the listed conditions, please come into the Planning and Development Office to pay the \$150.00 subdivision application fee. Once the payment is received, the proposed subdivision will be considered "filed" and staff will place the subdivision in the next scheduled meeting of the Planning and Zoning Commission.

Preliminary and Final:

1. Pursuant to Sec. 109-91 – (d)(4) of the Code of Ordinances Chapter 109 – Subdivisions, please provide a street lighting plan (existing and proposed) for review.
2. Pursuant to Sec. 109-124 – (c)(11)(a) of the Code of Ordinances Chapter 109 – Subdivisions, major arterial streets shall have a right-of-way of 120 feet.
 - a. Please clarify the ROW for Primera Road.
3. Please complete plat note #17.
4. Please note that any driveway on TxDOT Right-of-Way must adhere to TxDOT's access management manual.
5. All other applicable fees must be paid prior to recording of the final plat.

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

Thank you,

A handwritten signature in black ink that reads 'Estefanía Hernández'.

Estefanía Hernández
City Planner



Engineering Department | 24200 FM 509, Harlingen, Texas 78550

October 14, 2024

Roberto Hernandez, PE, CFM
Assistant City Engineer

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

RE: REVIEW OF WAREHOUSE SUBDIVISION – 2ND SUBMITTAL

Dear Mr. Olivo,

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

- ☐ Approved
- ☒ Approved with Conditions
- ☐ Disapproved

Please review and address the following comments:

Plat

- Note 12, Add proposed detention volume matching the drainage report
- Confirm note 17, it appears to be missing information

Drainage Report

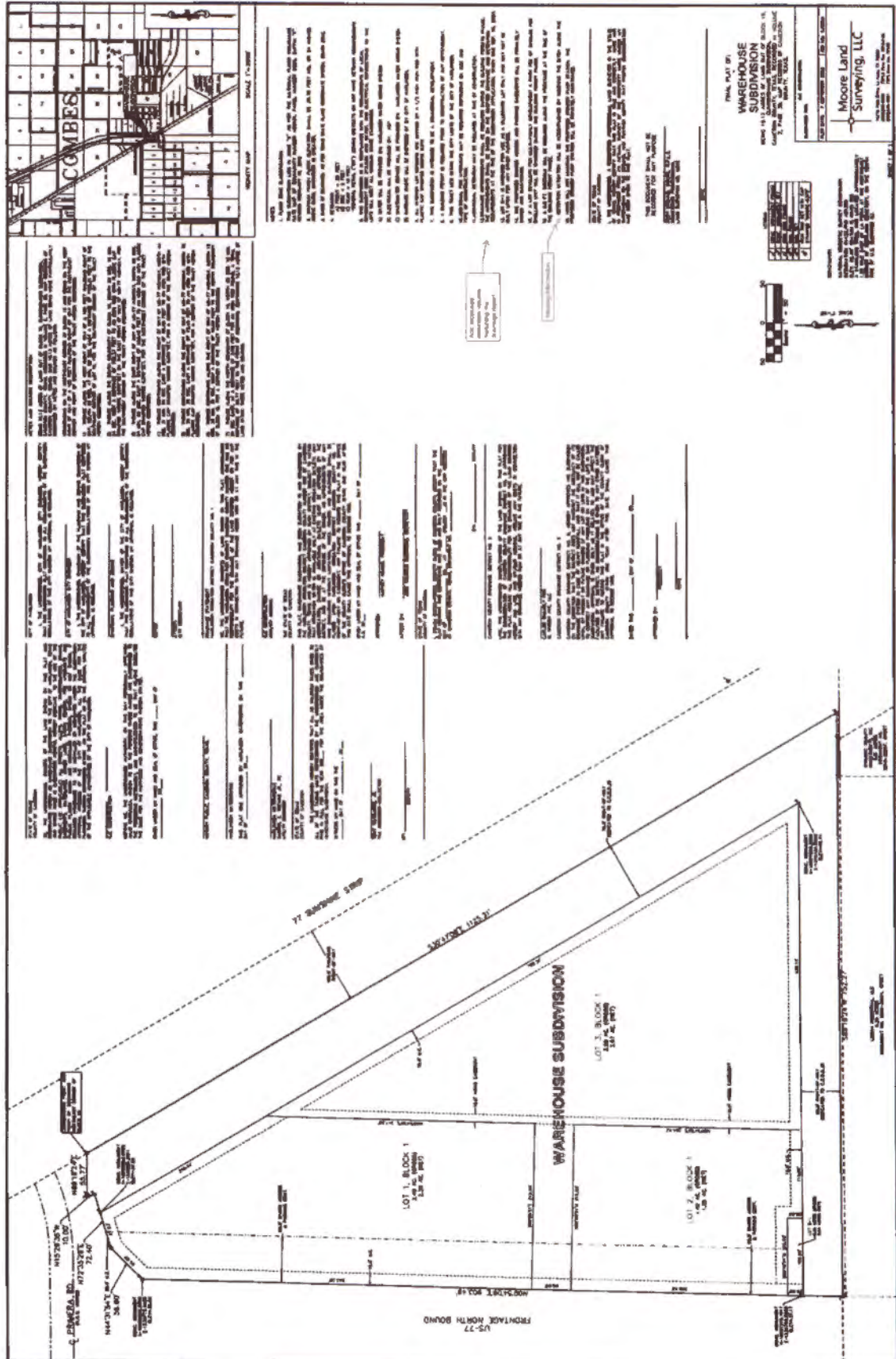
- Approved with the latest submission dated 9-6-2024

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) 216-5284 or via email at rhernandez@harlingentx.gov.

Sincerely,

Roberto Hernandez

Roberto Hernandez, PE, CFM





Subdivision Review

Subdivision Name: Warehouse – 2nd Submittal

Proposed Use: 3 Lot Commercial

Location: Southeast corner of Primera Road and US Expressway 77

Developer: CJE Construction, LLC

Engineer: Moore Land Surveying, LLC / (956) 245-4651
d.moorelandsurveying@gmail.com

Approval: ____ Yes ☒ Yes with Comments ____ No

- Comments:**
1. As per Sec. 109-91 (d) (5) a fire hydrant plan which includes location of existing and proposed fire hydrants. Fire hydrants must be shown to create a coverage network of not more than 500-foot intervals measured along streets or other public access right-of-way for single-family residential subdivisions. In all other subdivisions, this distance must be a 150-foot radius.
 2. As per Sec. 109-124 (h) (2) a fire hydrant shall be placed at a distance not exceeding 150 feet from any building requiring fire sprinklers and/or standpipes.

Juan Saucedo Jr. Fire Marshal
Departmental Official Signature

(956) 216-5790
Contact Number

Fire Prevention
Department

jsauceda@harlingentx.gov
Contact E-mail

October 4, 2024
Date

Juan Saucedo Jr.
Signature



HARLINGEN
WATERWORKS
SYSTEM

**WAREHOUSE SUBDIVISION
PLAT SUBMITTAL #2**

October 17, 2024

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

From: David Vasquez, Engineering Technician
Engineering Dept.
Harlingen Waterworks System

Response:

APPROVED with CONDITIONS

David Vasquez

Digitally signed by David Vasquez
DN: cn=D. Vasquez, email=David.Vasquez@hws.com,
c=US, ou=Engineering Dept., cn=David Vasquez
Date: 2024.10.17 16:25:10-0500

UTILITY PLAN COMMENTS: No comments.

FINAL PLAT COMMENTS:

No.	Comment/Revision	Addressed
1	As the 6" sewer lines will be maintained privately, the HWWS utility easement won't be required.	

ADDITIONAL COMMENTS:

- A full set of water and sewer construction plans must be submitted to Harlingen Waterworks System for review and approval prior to commencement of construction.
- Response to Conditions of Approval are required prior to Signing of a Plat. Submitter must mark Yes or No in the Addressed column. Mylars missing response to Conditions for Approval will not be Signed.
- HWWS comments subject to modification based on additional information of future comments issued by the City of Harlingen, changes made to the plans after approval has been given, or if new information is uncovered through field discovery.

[illegible]

PLANNING AND ZONING COMMISSION

October 23, 2024

Consideration and possible action to recommend to the City Commission the preliminary construction plans and final plat of the proposed Skyline District Subdivision, bearing a legal description of 10.13 acres of land out of Block 19, Cunningham's Subdivision, located along the southeast corner of Primera Road and US Expressway 77. Applicant: Moore Land Surveying, LLC c/o CJE Construction

City Planner, Esteeffania Hernández, presented the proposed subdivision before the Board as follows:

- Ms. Hernández clarified that they may have seen mention of the subdivision by the name of Warehouse. She explained that the subdivision changed its name a couple of times during Staff review but it is now Skyline District.
- The subdivision consists of three (3) commercial properties located along the southeast corner of Primera Road and U.S. Expressway 77.
- An aerial view of the subject lot was presented.
- A copy of the final plat was presented.
- Ms. Hernández stated that the drainage requirements do meet the current standard of a fifty (50) year storm. Water and wastewater services will be provided by Harlingen Water Works.
- Ms. Hernández stated that there is a plat note regarding the park fees. The information was presented on a slide, as follows: "If a lot develops for multi-family development, a park fee of \$450.00 per dwelling unit will be charged during the building permit phase."
Ms. Hernández explained that this was for the purpose of not knowing exactly how many units were being proposed right now. She said that the focus is currently on subdividing the land into making it legal lots of record before the building permit is processed. She further added that Staff would take one final look and review how many dwelling units are proposed to figure out the park fees at that time. The park fees would be going towards Park Zone four (4) which was identified as the area in blue on the Park Zones Map. An updated Park Zones Fee Chart was also shown reflecting subdivisions that have already been processed and have come before the Board as well.
- Three (3) Street Views of the subject lot were presented - from Primera Road, from N. 77 Sunshine Strip, and from US-77 Frontage Road.
- Ms. Hernández said that all items on the preliminary final plat checklist will be addressed prior to the recording of the subdivision.
- Ms. Hernández referenced attachments four through eight (4-8). She stated that Staff is recommending approval subject to meeting the requirements from the Engineering Department, Harlingen Water Works, the Fire Prevention Bureau and the Planning Department.
- Ms. Hernández made herself available for any questions from the Board. She added that both the engineer of record as well as the developer were also present to answer any questions.

Chairman Consiglio thanked Ms. Hernández for her presentation. He asked if there were any questions for Staff.

Upon hearing none, the Chrm. asked if there was a motion. Cmr. Villarreal made the motion to approve. Cmr. Perez seconded the motion. The Chrm. asked if there was any further discussion and upon hearing none, moved the motion to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(9)

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to approve the preliminary construction plans and final plat of the proposed Dixieland Crossing Subdivision, bearing a legal description of 9.65 acres of land out of Blocks 43, 44, and Canal ROW, Howard's Dixieland Heights #1 Subdivision, located along the southwest corner of Garrett and Dixieland Roads. Applicant: Moore Land Surveying, LLC c/o CJE Construction. Attachment (**Planning & Development**)

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- September 6, 2024 – Original Preliminary Construction Plans and Final Plat application submitted to the City. (**ATTACHMENT I**)
- September 25, 2024 – Letter sent to applicant outlining deficiencies; application deemed incomplete
- October 3, 2024 – Preliminary and final plat resubmitted to the City.
- October 17, 2024 – Preliminary construction plans and final plat deemed complete.
- October 23, 2024 – Consideration of the preliminary construction plans and final plat with conditions by the Planning and Zoning Commission.
- November 6, 2024 – Consideration of the preliminary construction plans and final plat by the City Commission.

Summary:

- The proposed Dixieland Crossing Subdivision consists of two (2) commercial lots and twenty-four (24) single family residential lots. It is located along the southwest corner of Dixieland and Garrett Roads. (**ATTACHMENT II**)
- Drainage requirements meet the current standard for a 50-year storm.
- Water and wastewater services will be provided by HWWWS.
- The proposed subdivision is consistent with the Neighborhood Services ("NS") District zoning.
- As per the agreement with the developer during the rezoning of the property, the plat note prohibiting multi-family development in any of the subdivision lots has been included. (**ATTACHMENT III**)
- Park fees must be paid for the subdivision. Park fees are \$450 per dwelling unit. A total of \$10,800 will have to be paid in park fees prior to subdivision recording. The fees will go to Park Zone 1 (the southwest zone). (**ATTACHMENTS VI – VII**)

- All items on the preliminary and final plat checklist will be addressed prior to the recording of the final plat. **(ATTACHMENTS VI – IX)**

Staff Recommendation:

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

1. Requirements from the Engineering, HWWWS, Fire Department, and Planning Department please see attached comments **(ATTACHMENTS VI – IX)**.

Funding (if applicable):

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

☐ Yes

☐ No*

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

Finance Director's approval:

☐

Yes

☐

No

☐

N/A

City Manager's approval:



☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

☐

Yes

☐

No

☐

N/A

Attachment I—Subdivision Application

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

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

Project Address DIXIELAND RD Nearest Intersection DIXIELAND & GARRETT
(Proposed) Subdivision Name DIXIELAND CROSSING Lot _____ Block _____
Existing Zoning Designation NEIGHBORHOOD SVC Future Land Use Plan Designation NEIGHBORHOOD SERVICES

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

Applicant/Authorized Agent MOORE LAND SURVEYING Phone 956-245-4651 FAX _____
Email Address (for project correspondence only): D.MOORELANDSURVEYING@GMAIL.COM
Mailing Address 14216 PALIS DR City LA FERIA State TX Zip 78559
Property Owner JULIO CARRANZA Phone 956-245-4651 FAX _____
Email Address (for project correspondence only): admin@mycjehome.com
Mailing Address 4119 CROSS POINT BLVD City EDINBURG State TX Zip 78539

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: 2 COMMERCIAL LOTS & 25 SINGLE FAMILY

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: DUSTIN MOORE DUSTIN MOORE
2024.09.06 14:26:04 -05'00' Date: 9/6/24

Property Owner(s) Signature: _____ Date: 9/6/24

Accepted by: _____ Date: _____

Attachment III —Note Regarding Multi-Family Development

16. NO MULTI-FAMILY DEVELOPMENT SHALL BE ALLOWED IN ANY OF THE LOTS, INCLUDING DUPLEXES AND FOUR-PLEXES

Attachment IV — Aerial View



Attachment V — Street Views

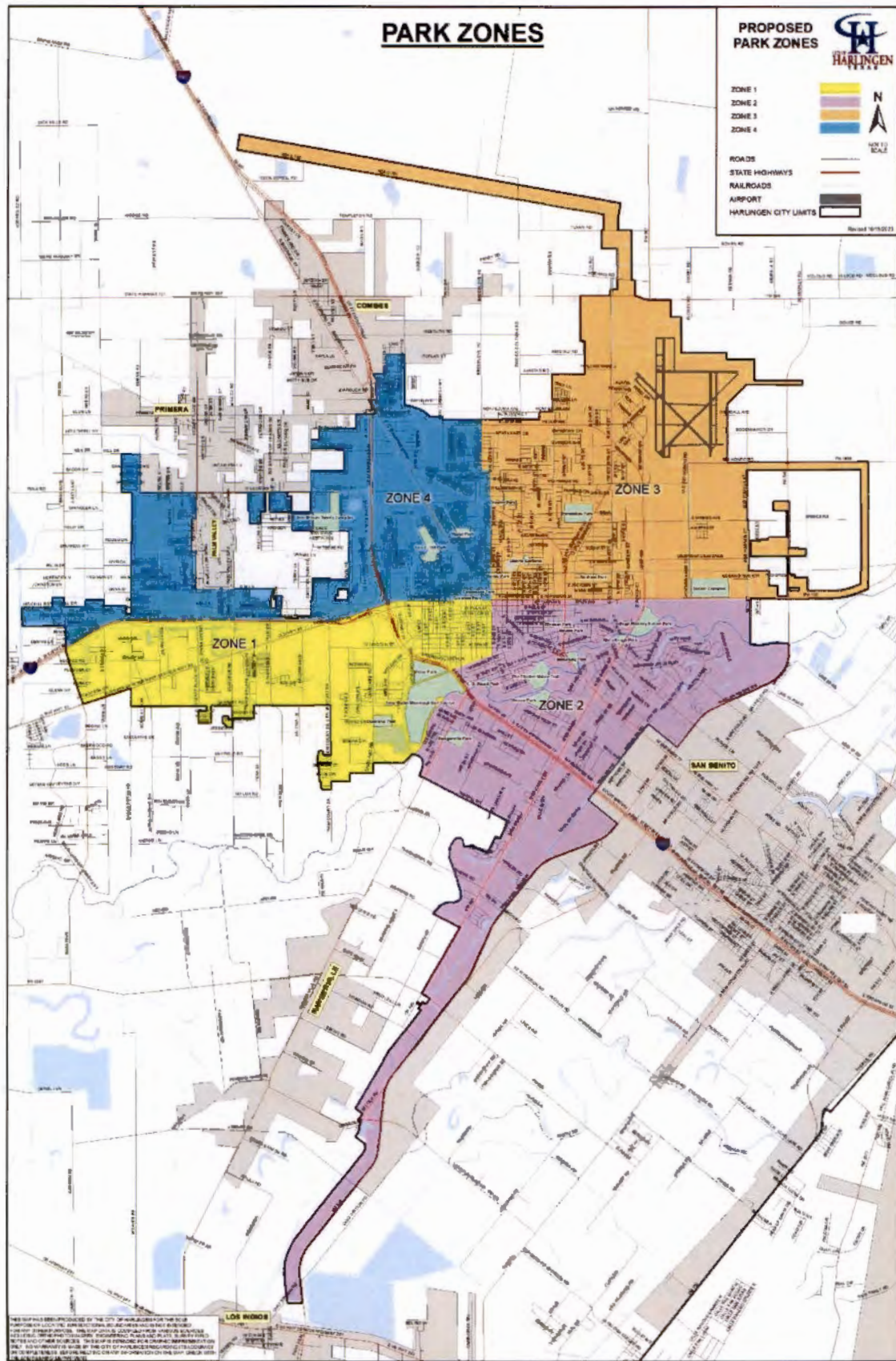
Street View from Garrett Road



Street View from Dixieland Road



Attachment VI – Park Zones Map



Attachment VII – Park Zones Fee Chart

PARK ZONE 1 – As of Oct. 18, 2024					
RATE	SUBDIVISION NAME	TYPE AND NUMBER OF LOTS	SUBDIVISION STATUS	REQUIRED PARK FEES AMOUNT PRIOR TO SUBDIVISION RECORDING	PAID
\$450/dwelling unit	Central Perk	4 single family	Under review	\$ 1,800.00	NO
\$450/dwelling unit	Trinity Heights Phase 2	74 duplex	Under construction	\$ 66,600.00	NO
\$450/dwelling unit	Agave Estates	80 single family	Under construction	\$ 36,000.00	NO
\$450/dwelling unit	Corsif Acres	1 single family	Under review	\$ 450.00	YES
\$450/dwelling unit	Dixieland Crossing	2 commercial lots and 24 single family lots	Under review	\$ 10,800.00	NO
	Total			\$ 115,650.00	

Funds in the bank for this park zone = \$450.00

PARK ZONE 2 – As of Oct. 18, 2024					
RATE	SUBDIVISION NAME	TYPE AND NUMBER OF LOTS	SUBDIVISION STATUS	REQUIRED PARK FEES AMOUNT PRIOR TO SUBDIVISION RECORDING	PAID
\$450/dwelling unit	Roberto Aguilar	2 single family	Under review	\$ 900.00	YES
	Total			\$ 900.00	

Funds in the bank for this park zone = \$900.00

Attachment VII – Park Zones Fee Chart

PARK ZONE 4 – As of Oct. 18, 2024					
RATE	SUBDIVISION NAME	TYPE AND NUMBER OF LOTS	SUBDIVISION STATUS	REQUIRED PARK FEES AMOUNT PRIOR TO SUBDIVISION RECORDING	PAID
\$450/dwelling unit	Stonebriar Phase 2	12 single family	Under review	\$ 5,400.00	NO
\$450/dwelling unit	Stonebriar Phase 3	125 single family	Under review	\$ 28,125.00	NO
\$450/dwelling unit	Ramos Acres	1 single family	Under review	\$ 450.00	NO
\$450/dwelling unit	Skyline District	3 commercial and possibly multifamily	Under review	Undetermined – funds will be collected during the building permit phase since we don't know how many units the apartment complex will have.	NO
	Total			\$ 33,975.00	



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

10/15/2024

Dustin Moore, P.E.
Moore Land Surveying, LLC
14216 Palis Drive
La Feria, Texas 78559

Re: Dixieland Crossing Subdivision

Dear Mr. Moore,

City staff reviewed the preliminary plans and final plat of the proposed “**Dixieland Crossing Subdivision**” submitted on October 3, 2024. The application is considered complete subject to a list of conditions from the different City Departments. If you are in agreement with the listed conditions, please come into the Planning and Development Office to pay the \$150.00 subdivision application fee. Once the payment is received, the proposed subdivision will be considered “filed” and staff will place the subdivision in the next scheduled meeting of the Planning and Zoning Commission.

Preliminary and Final:

1. Pursuant to Sec. 109.91 – (c)(3)(c) of the Code of Ordinances Chapter 109 – Subdivisions, all new monuments set at subdivision corners shall be set to a sufficient depth to retain a stable and distinctive location, encased in concrete where location permits, shall be marked in a way that is traceable to the responsible surveyor, and shall conform to the appropriate state statutes.
 - a. Please provide elevations for these points.
2. Pursuant to Sec. 109-193 (a)(1)(c) of the Code of Ordinances Chapter 109 – Subdivisions, please note that there is a Park Land Dedication fee of \$450 per unit in a new subdivision.
 - a. Please include the word “dwelling” in front of unit on plat note 17.
3. Please coordinate the cluster mailbox with the USPS.
4. Please clarify the ROW dedication on Garrett and Dixieland Roads.
5. Please include a 30x30 corner clip on Garrett Road and a 50x50 corner clip on Dixieland Road.
6. Please add a plat note stating the subdivision will be private. Also add a note under the owner’s signature block stating the subdivision will be private.
7. Please clarify the use of the subdivision on plat note 7.
8. Please delete plat note 11.
9. All other applicable fees must be paid prior to recording of the final plat.

Thank you,


Soledad A. Núñez
City Planner



Engineering Department | 24200 FM 509, Harlingen, Texas 78550

October 14, 2024
Roberto Hernandez, PE, CFM
Assistant City Engineer

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

RE: REVIEW OF DIXIELAND CROSSING SUBDIVISION PRELIM/FINAL – 2ND SUBMITTAL

Dear Mr. Olivo,

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

- ☐ Approved
- ☒ Approved with Conditions
- ☐ Disapproved

Please review and address the following comments:

Plat

- Add the following plat notes:
 - All residential lots must be graded from rear to front of the lot at a 1% slope
 - Add plat note restricting access from Garrett to lot 1 and 25, and Dixieland for lot 11. Ensure Note 15 plat note matches the drainage report. Add 1-ft non-access easement on those lots.
- Provide corner clips 50x50 at Dixieland and Garrett intersection
- Provide a perimeter easement for lot c-2. 5-ft UE minimum.
- On lot 10, Clarify what the south easement is and the dimensions.

Grading plan

- Regrade C-2 lot to slope from rear to front of streets and not to the residential lots
- Provide radius information. Must be 25-ft radius minimum for Garrett intersection and 35 for Dixieland. For Garrett rd, add a pipe culvert with SETs
- Provide elevations to verify the rear of the lots do grade towards the front at a 1% slope minimum
- Provide detention plan & cross sections with measurements to verify proposed detention volume.

Drainage Report

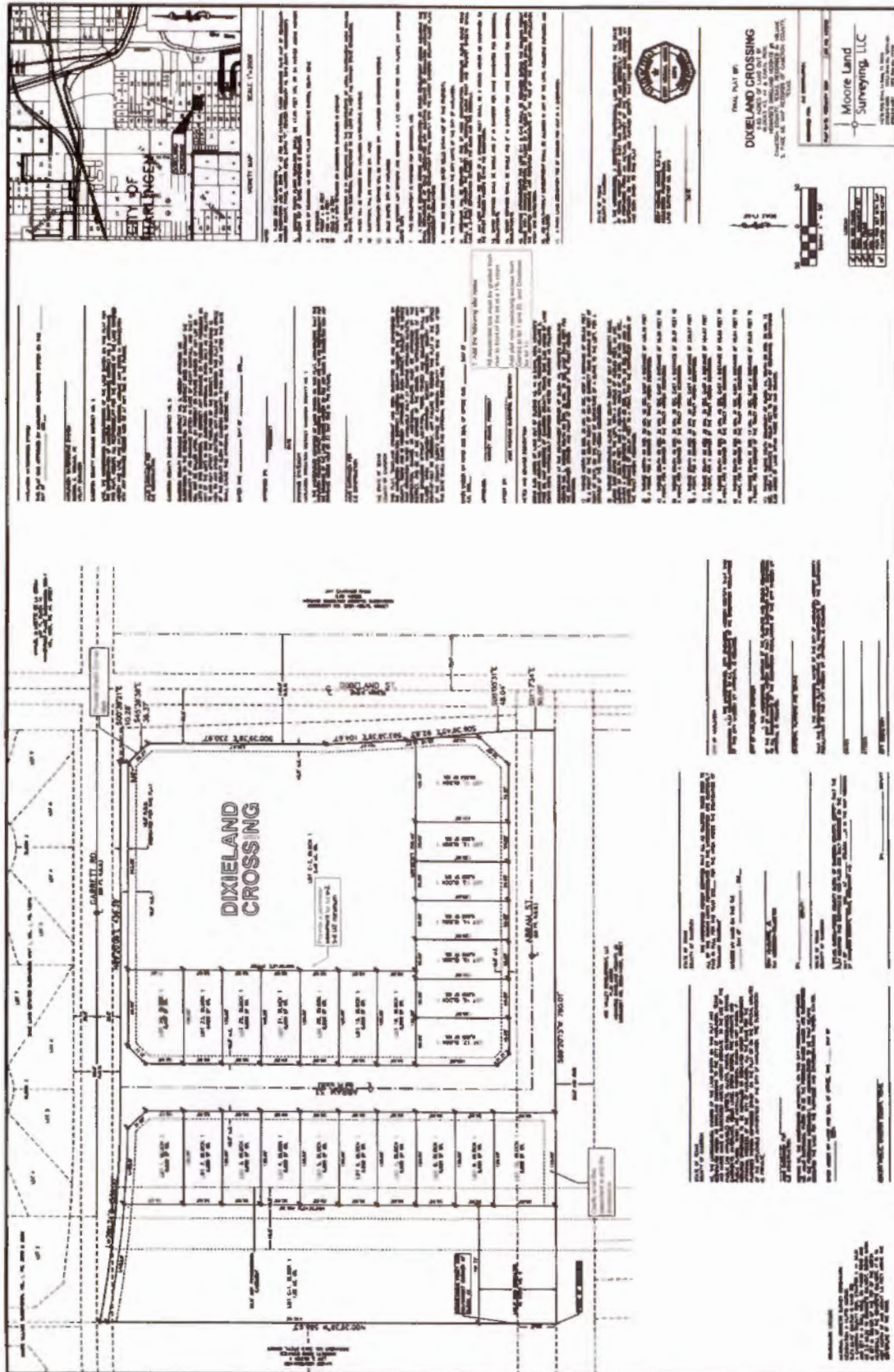
- Correct comments as noted on the drainage report review.

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) 216-5284 or via email at rhernandez@harlingentx.gov.

Sincerely,

Roberto Hernandez

Roberto Hernandez, PE, CFM





Subdivision Review

Subdivision Name: Dixieland Crossing – 2nd Submittal

Proposed Use: 2 Lots Commercial & 25 Single Family Residential Lots

Location: Southwest corner of the intersection of Dixieland Road and Garrett Road

Developer: CJE Construction, LLC

Engineer: Moore Land Surveying, LLC / (956) 245-4651
d.moorelandsurveying@gmail.com

Approval: ☐ Yes ☒ Yes with Comments ☐ No

- Comments:**
1. As per Sec. 109-91 (d) (5) a fire hydrant plan which includes location of existing and proposed fire hydrants. Fire hydrants must be shown to create a coverage network of not more than 500-foot intervals measured along streets or other public access right-of-way for single-family residential subdivisions. In all other subdivisions, this distance must be a 150-foot radius.
 2. As per Sec. 109-124 (h) (2) a fire hydrant shall be placed at a distance not exceeding 150 feet from any building requiring fire sprinklers and/or standpipes.

Juan Saucedo Jr. Fire Marshal
Departmental Official Signature

(956) 216-5790
Contact Number

Fire Prevention
Department

jsauceda@harlingentx.gov
Contact E-mail

October 4, 2024
Date

Juan Saucedo Jr
Signature



HARLINGEN
WATERWORKS
SYSTEM

**DIXIELAND CROSSING SUBDIVISION
PLAT SUBMITTAL #2**

October 17, 2024

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

From: David Vasquez, Engineering Technician
Engineering Dept.
Harlingen Waterworks System

Response:

APPROVED

David Vasquez

Digitally signed by David Vasquez,
DN: cn=US, E=dvasquez@hwws.com,
o=Harlingen Waterworks System,
ou=Engineering Dept., cn=David
Vasquez
Date: 2024.10.17 10:44:14 -0500

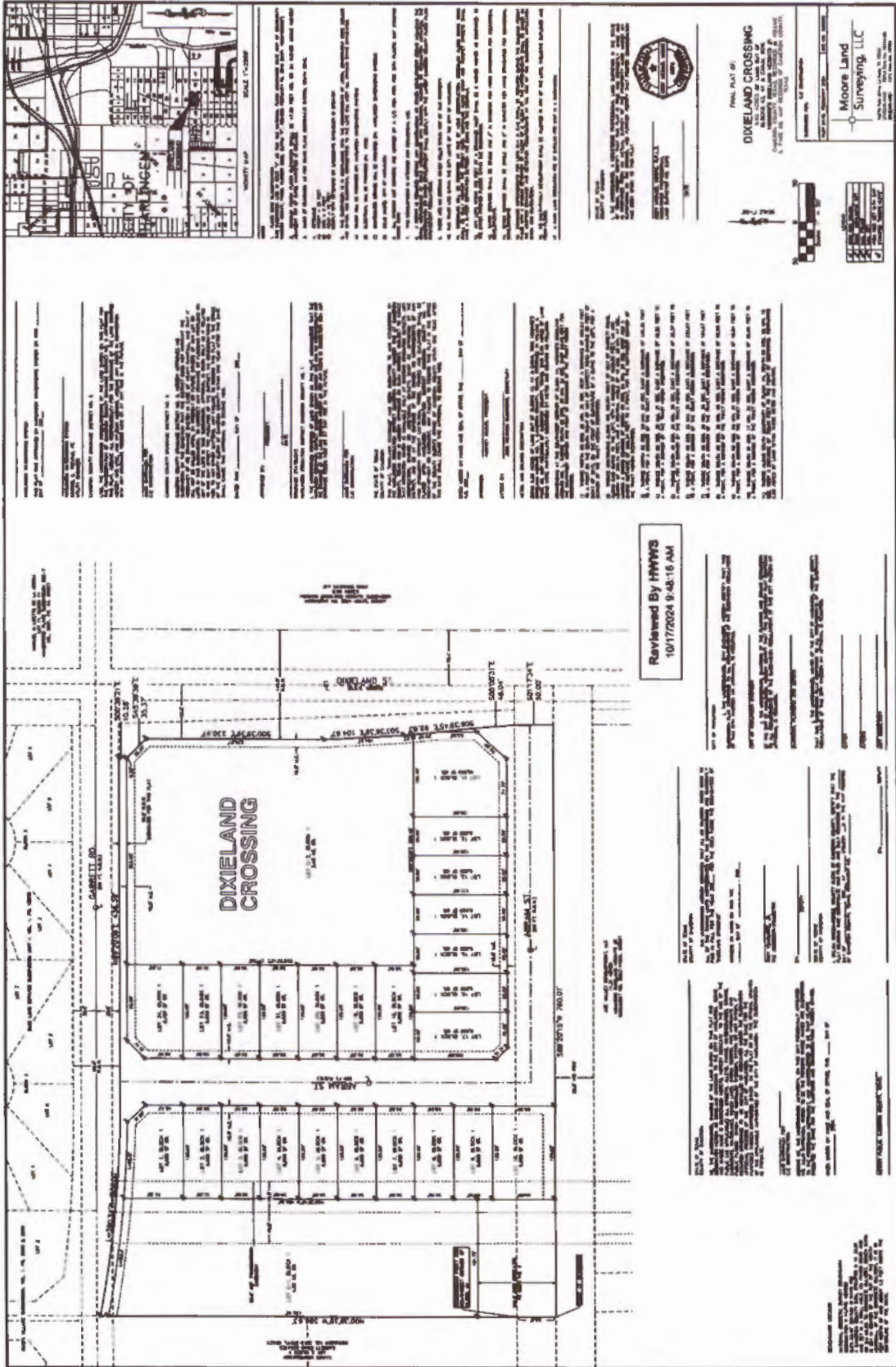
UTILITY PLAN COMMENTS: No comments.

FINAL PLAT COMMENTS: No comments.

ADDITIONAL COMMENTS:

- A full set of water and sewer construction plans must be submitted to Harlingen Waterworks System for review and approval prior to commencement of construction.
- HWWS comments subject to modification based on additional information of future comments issued by the City of Harlingen, changes made to the plans after approval has been given, or if new information is uncovered through field discovery.

Attachment IX- Harlingen Water Works System



The drawing is a technical site plan for a development named "DIXIELAND CROSSING". It shows a large rectangular area with internal divisions, possibly representing lots or parking spaces. The plan includes various annotations such as "PROPOSED", "EXISTING", and "EASEMENT". A title block in the upper right corner identifies the project as "DIXIELAND CROSSING" and the firm as "MOORE LAND SURVEYING, LLC". To the right of the title block is a north arrow and a graphic scale bar. Below the title block is a legend. The drawing is oriented horizontally on the page.

Consideration and possible action to recommend to the City Commission the preliminary construction plans and final plat of the proposed Dixieland Crossing Subdivision, bearing a legal description of 9.65 acres of land out of Blocks 43, 44, and Canal ROW, Howard's Dixieland Heights #1 Subdivision, located along the southwest corner of Garrett and Dixieland Roads. Applicant: Moore Land Surveying, LLC c/o CJE Construction

City Planner, Soledad A. Núñez presented the proposed subdivision before the Board, as follows:

- An aerial view of the proposed subdivision was presented. It will consist of two (2) commercial lots and twenty-four (24) single-family residential lots.
- The drainage requirements meet the fifty (50) year standard.
- A copy of the final plat was presented. Ms. Núñez pointed out the areas for two commercial lots and what will be the residential lots.
- Water and wastewater services will be provided by Harlingen Water Works.
- Ms. Núñez stated that the proposed subdivision is consistent with the Neighborhood Services zoning. She said that as per the agreement with the developer during the rezoning of the property, there is a plat note that says no multi-family development shall be allowed in any of the lots, including duplexes and fourplexes.
- A Street View from Garrett Road was presented.
- A Street View from Dixieland Road was presented.
- Ms. Núñez stated that a total of ten thousand, eight hundred dollars (\$10,800) will be collected in park fees for the single-family residential lots. The fees will go towards park zone #1, which Ms. Núñez indicated on the Park Zone map. The updated Park Zones Fee Chart was presented, having been updated as of October 18.
- Ms. Núñez stated that Staff is recommending approval of the subdivision, subject to the conditions attached in the meeting packet.

Chairman Consiglio thanked Ms. Núñez and asked if there were any questions for Staff.

Upon hearing none, the Chrm. asked if there was a motion. Cmr. Villarreal made the motion to approve. Cmr. Flores seconded the motion. The Chrm. asked if there was any further discussion and upon hearing none, moved the motion to a vote. The motion passed unanimously.

10(h)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:

Consideration and possible action to approve a resolution establishing the 38th Annual Lighting of the Arroyo to be held on December 5, 2024, at McKelvey Park and request from TxDot a temporary partial road closure of Business 77 Sunshine Strip for the safety of the public during the event from 5:00 p.m. to 10:00 p.m. and authorize the city manager to sign the agreement. Attachment (*Parks & Recreation*)

Prepared By: Javier Mendez, Parks & recreations Director

Brief Summary:

This year's Lighting of the Arroyo is scheduled for Thursday, December 5, 2024, and will begin at 6:00 p.m. and end at 9:00 p.m.

The City of Harlingen Police Department, and Public Works will set up barricades, signage and provide emergency vehicles and staff to monitor the road closure of Highway 77 portion in front of McKelvey Park during the event.

The Harlingen Police designed a plan to promote the safety of pedestrians while crossing from the center island located on Business 77 Sunshine Strip to McKelvey Park. Police Officers will be assigned to monitor both pedestrian and vehicular traffic. The safety plan, along with an official letter and documentation about the event will be sent to the Pharr District-Texas Department of Transportation for approval of the temporary partial closure of state highway Business 77 Sunshine Strip.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No):yes

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

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

Staff Recommendation:

Staff recommends approval

City Manager approval:

66

Comments:

City Attorney's approval:

RESOLUTION 2024-

A RESOLUTION OF THE CITY OF HARLINGEN CITY COMMISSION ESTABLISHING THE 38TH ANNUAL LIGHTING OF THE ARROYO TO BE HELD ON THE 5TH DAY OF DECEMBER, 2024 AND APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY.

WHEREAS, on December 5, 2024, the first Friday of December, the City of Harlingen will host our annual holiday event where we celebrate the beginning of the Christmas Holiday season by flipping the switch on the holiday lights at McKelvey Park to commemorate the 38th Annual Lighting Arroyo; and

WHEREAS, in its 38 years of this tradition the Lighting of the Arroyo marks the beginning of the holiday season in Harlingen having performance by students from Harlingen Consolidated Independent District, and

WHEREAS, the City of Harlingen desires to have portions of State Right of Way temporarily closed during the event.

WHEREAS, the City of Harlingen, with support of the Parks and Recreation, Police Department, Public Works, Fire Department and the City Administrators, does hereby support these activities and determines the temporary closure to be necessary for the safety of our citizens and visitors.

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

1. The City of Harlingen Police Department, and Public Works will set up barricades, signage and provide emergency vehicles and staff to monitor the road closure of Highway 77 portion in front of McKelvey Park to host the Lighting of the Arroyo on Thursday, December 5, 2024, beginning at 5:00 p.m. and ending 10:00 p.m.
2. The City Manager is hereby authorized to enter into and sign an agreement for temporary closure of a state right-of-way, namely Highway 77 in front of McKelvey Park.
3. That this resolution shall be effective from and after its date of passage.

DULY PASSED by majority vote of all members of the City Commission of the City of Harlingen on the 6th day of November 2024.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

STATE OF TEXAS §

COUNTY OF TRAVIS §

**AGREEMENT FOR THE TEMPORARY CLOSURE
OF STATE RIGHT OF WAY**

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of Harlingen, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "local government."

W I T N E S S E T H

WHEREAS, the State owns and operates a system of highways for public use and benefit, including 77 Sunshine Strip (Business 77), in Cameron County; and

WHEREAS, the City has requested the temporary closure of 77 Sunshine Strip (Business 77) for the purpose of the 38th Annual Lighting of the Arroyo event, from 5:00 p.m. to 10:00 p.m. Thursday, December 5, 2024, as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

WHEREAS, the Event will be located within the local government's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the 6th day of November 2024, the Harlingen City Commission passed Resolution/Ordinance No. _____, attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

Article 1. CONTRACT PERIOD

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

Article 2. EVENT DESCRIPTION

The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as "Exhibit C."

Article 3. OPERATIONS OF THE EVENT

A. The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

B. The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State's Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.

C. The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.

D. The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

E. The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

F. The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

G. The local government hereby assures the State that there will be appropriate passage

allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.

H. The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

Article 4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

Article 5. TERMINATION

A. This agreement may be terminated by any of the following conditions:

- (1) By mutual written agreement and consent of both parties.
- (2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.
- (3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
- (4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

Article 6. DISPUTES

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

Article 7. RESPONSIBILITIES OF THE PARTIES

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 8. INSURANCE

A. Prior to beginning any work upon the State's right of way, the local government and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period

that the local government and/or its contractors are encroaching upon the State right of way.

B. In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

Article 9. AMENDMENTS

Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

Article 10. COMPLIANCE WITH LAWS

The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

Article 11. LEGAL CONSTRUCTION

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 12. NOTICES

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Local Government:	State:
City of Harlingen Attn: Gabriel Gonzalez, City Manager 118 E. Tyler Harlingen, Texas 78550	Texas Department of Transportation Pharr District District Engineer 600 W IH2 Pharr, Texas 78577

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Article 13. SOLE AGREEMENT

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

Each party is signing this agreement on the date stated beside that party's signature.

THE CITY OF HARLINGEN

Executed on behalf of the local government by:

By _____ Date 11/6/2024
City Official

Typed or Printed Name and Title: Gabriel Gonzalez
City Manager

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

Agreement No. _____

By _____
District Engineer

By _____
Director of Maintenance

Date_____

Agreement No. _____

Date_____

Exhibit A - Event

City of Aransas Pass

**600 W Cleveland
Blvd, Aransas Pass
Tx 78336**

**September 1,
2022**

**Re: 2022 Christmas Kickoff Block
Party**

**Dear Council
Members,**

The Aransas Pass Rialto Theater would like to propose our first annual Christmas Kickoff Block Party event for the families and residents of Aransas Pass. We are very excited about all that the Kickoff has to offer the community such as a Santa photo booth, Christmas cookie bake-off, and other Christamas themed contests that include ugly sweaters and doggie sweaters!

We wish to hold this year's Kickoff on Saturday, December 3, 2022. We are asking for the closure of US HWY 361 South Commercial (block of Commercial St between Goodnight & Wilson) for temporary closure from 3:00pm to about 10:00 pm on December 3, 2022. We are planning to hire off-duty officers to be available at the traffic choke points as suggested by Chief Blanchard. The officers would begin closing the nearby streets around 3:00 pm so block party volunteers would begin arriving at about 3:00 pm. The block party would be scheduled to kick-off from 4pm to 9pm. Officers will reopen the street immediately following the conclusion of our clean up crew no later than 10pm. We anticipate approximately 500 people to attend this event.

Should you have any questions, please feel free to contact me at 361-717-4559. Thank you for helping us make this event a success. We appreciate all of your assistance.

**La Risa
Rios**

**Christmas Kickoff
Block Party
Coordinator**

Timeline of Events

3PM- Beginning of road closures and booth set ups.

4PM- Opening announcements and start of cookie tasting. Announce the start of
Silent Auction.
Live Christmas music performance.

5PM- Ugly Sweater Contest. Contestants will present sweaters to judges and
winners will be announced.

6PM- Puppy Dog Sweater Contest. Contestants will present costumes to judges
and winners will be announced.

7PM- Cookie Bake Off. Contestants will present their cookies to judges and
winners will be announced. The People's Choice will also be announced.

8PM- Live Rialto Patio music performance.

8:30 PM- Announce Silent Auction Winners

8:45: Closing Announcements

9 to 10PM- Booth break downs, clean up and immediate opening of roads.



s Pass progress

Aransas Pass Chamber
of Commerce

9

CBD Trading Post

VAPOR COVE

Vapori zer store

Olde Towne
Espresso & Cafe

Hook & Ladder Brewpub

Coinstar Kiosk
| Bitcoin ATM

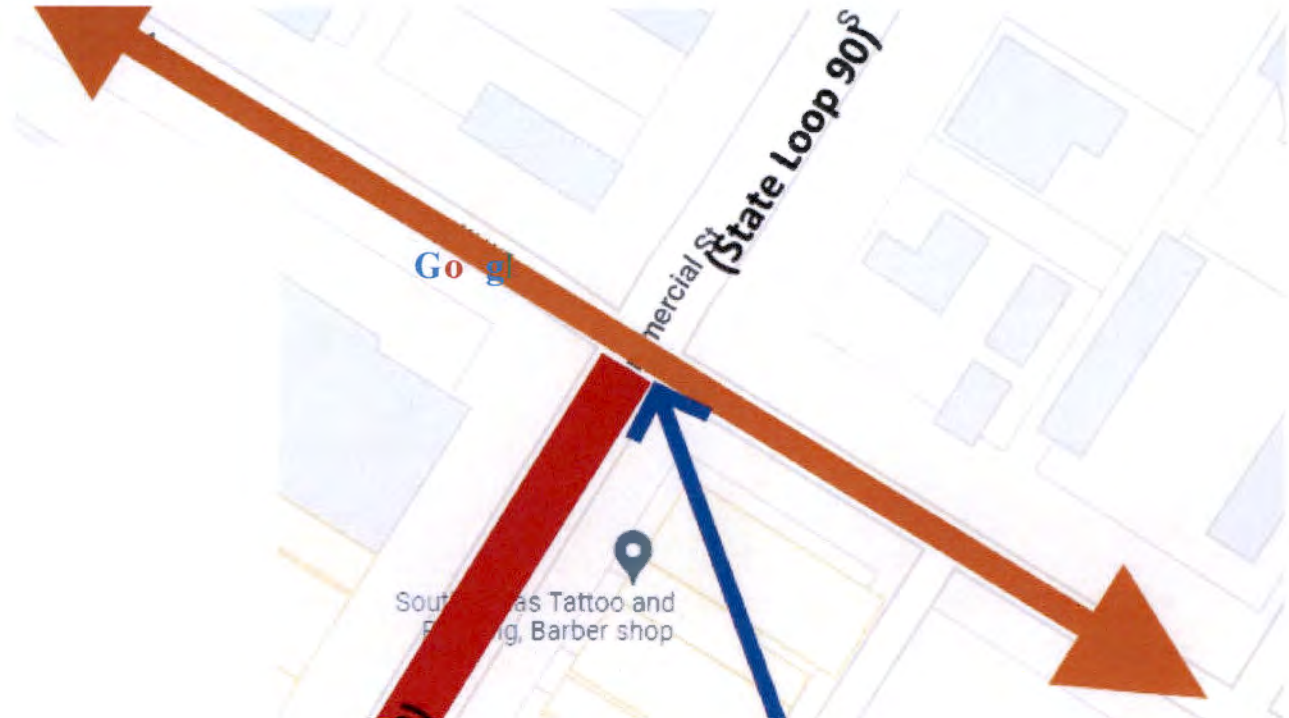
BaKery Cafe

S Arch St

E Yoakum

S Euclid

S Arch





LEGEND

	BARRICADES
	CHANNELIZING DEVICES
	SIGNS
	TRAFFIC FLOW
	TEMPORARY CROSSWALK
	TEMPORARY FENCE
	LIGHT
	POLICE



[Signature]

Date: 11/02/2023



ENGINEERING DEPARTMENT

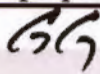
TRAFFIC CONTROL PLAN FOR EVENTS AT MCKELVEY PARK

N.T.S.		SHEET 1 OF 1	
PROJECT NO.	FILE NO.	SHEET NO.	
McKelvey Park Traffic Plan	McKelvey Park Traffic.dwg	1	
STATE	COUNTY	MONTH	YEAR
TEXAS	CAMERON	October	2023

1061

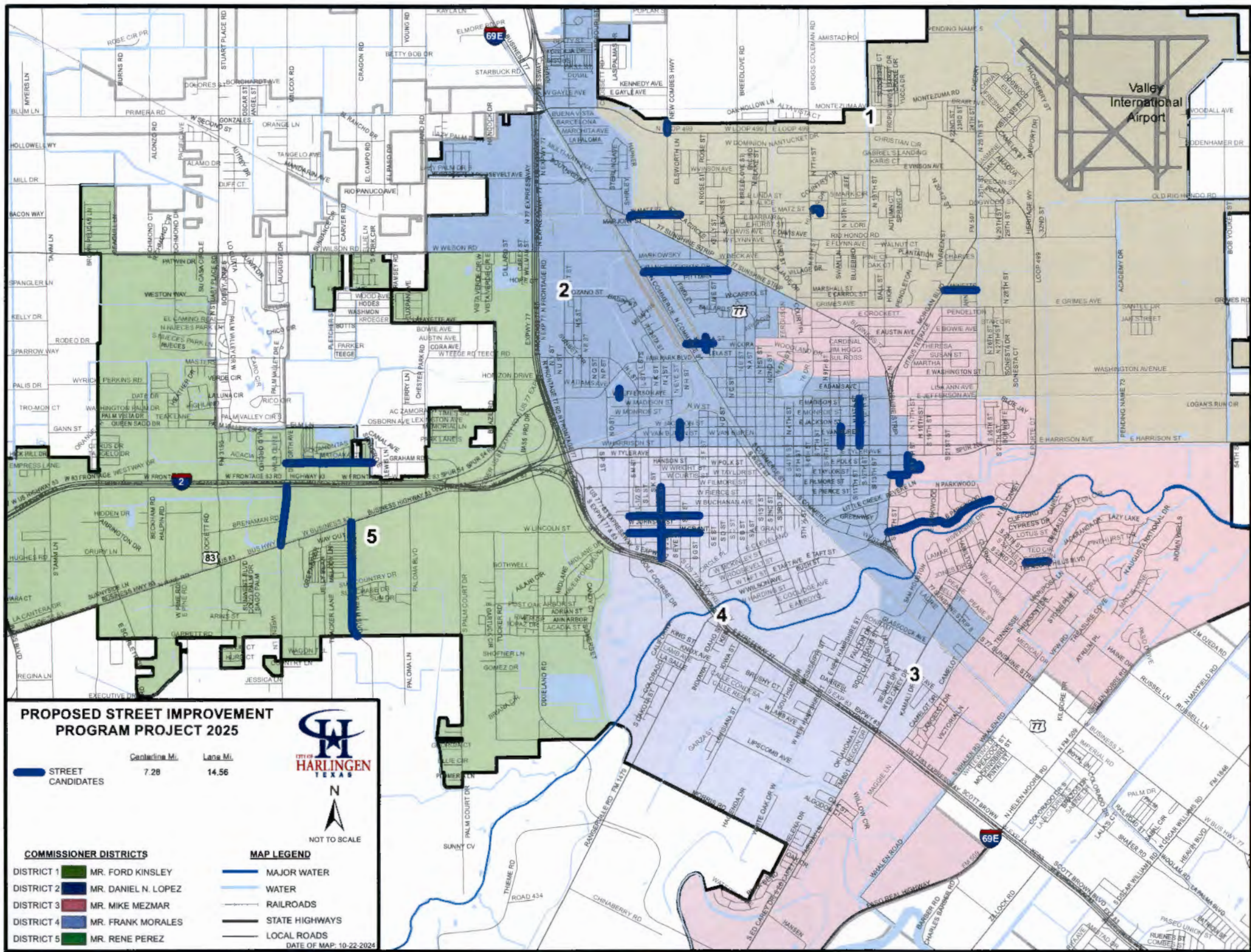
**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:
Consideration and possible action to approve the proposed list of streets for the 2025 Street Improvement Program Project. Attachment (<i>Engineering</i>)
Prepared By: Luis Vargas, City Engineer
Brief Summary:
1) In accordance with the Code of Ordinances Chapter 40, Article VII, the City of Harlingen administers a Street Improvement Program (SIP), which is a plan to provide inspection, maintenance, repairs, and reconstruction of the City's streets. The improvements typically consist of milling, overlaying or reconstructing streets and repairing existing curb and gutter. 2) The proposed streets to be repaved in 2025 were selected based on a street assessment performed by iWorQ in 2022 in which streets were assigned a score. A score of 0 to 20 was assigned to each street, which indicates the remaining service life (RSL) of the street, with 0 being zero years of life left and 20 being twenty years left. 3) Citizen requests to the Public Works and Engineering Departments were also considered in the street selection. 4) The scores of the proposed streets range from 0 to 4. A street with a score of 0 requires more extensive repairs and a score of 4 is an excellent candidate for a mill and overlay repair. 5) See list and map attached. 6) Staff recommends approval of the 2025 SIP list of streets, which will be designed after Commission approval and start construction in early 2025. 7) After the design is completed, Engineering will present bids to City Commission for approval. Bids will consist of material prices for asphalt, concrete and other materials for the construction of the project. 8) The construction will be done by Public Works and Engineering staff will conduct the construction inspection and testing.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of proposed list.
City Manager approval: 
Comments:
City Attorney's approval:

Street Improvement Program – Construction 2025
List of Proposed Streets

STREET NO.	RSL	DISTRICT	STREET NAME	PROJECT LIMITS		LENGTH (feet)
1	0	1	ANNETTE DR	MORGAN BLVD	25TH ST	1,205
2	0	1	NEW COMBES HWY	LOOP 499	NORTH CITY LIMIT	447
3	4	1	MATZ AVENUE	NEW COMBES HWY	BUSINESS 77	1,970
4	0	1	WINDDRIFT	E MATZ AVE	END CUL-DE-SAC	407
5	4	2	ORANGE HEIGHTS DR	COMMERCE ST	NEW COMBES HWY	3,215
6	0-4	2	NORTH E STREET	RAILROAD TRACKS	NORTH END	516
7	4	2	WEST ONA STREET	COMMERCE ST	NORTH D ST	976
8	0	2	NORTH H STREET	W VAN BUREN AVE	NORTH END	573
9	0-4	2	S 10TH STREET	HARRISON AVE	JACKSON AVE	746
10	0-4	2	S 12TH STREET	HARRISON AVE	JEFFERSON AVE	1,785
11	0	2	Crockett Elem. West side Street	W JEFFERSON AVE	NORTH END	332
12	0	2 and 3	E TAYLOR-17TH STREET	BUSINESS 77	TYLER AVE	1,420
13	4	3	STONE DRIVE	S 17TH STREET	END CUL-DE-SAC	662
14	4	3	ROCK DRIVE	STONE DR	END CUL-DE-SAC	284
15	0	3	S 16TH STREET	E TAYLOR ST	SOUTH END	304
16	0	3	BECKY LANE	S 25TH ST	EMERALD LAKE DR	879
17	0-4	3	S PARKWOOD DRIVE	BUSINESS 77	EAST END	4,644
18	0-4	4	WEST LINCOLN	SOUTH M STREET	SOUTH F STREET	2,687
19	0-4	4	WEST GRANT AVE	SOUTH M STREET	SOUTH F STREET	2,681
20	0-4	4	SOUTH J STREET	W FILMORE AVE	EXPRESSWAY 77	2,700
21	0-4	5	GRAHAM RD	DILWORTH RD	NESMITH (EAST CL)	3,290
22	0-4	5	DILWORTH ROAD	I-2 FRONTAGE RD	BUSINESS 83	2,292
23	0-4	5	SOUTH PALM BOULEVARD	BUSINESS 83	GARRETT RD	4,434
Total feet						38,449
Total miles						7.28



**PROPOSED STREET IMPROVEMENT
PROGRAM PROJECT 2025**

Centimeter Mi. Lane Mi.
7.28 14.56

STREET
CANDIDATES



NOT TO SCALE

COMMISSIONER DISTRICTS

- DISTRICT 1 MR. FORD KINSLEY
- DISTRICT 2 MR. DANIEL N. LOPEZ
- DISTRICT 3 MR. MIKE MEZMAR
- DISTRICT 4 MR. FRANK MORALES
- DISTRICT 5 MR. RENE PEREZ

MAP LEGEND

- MAJOR WATER
- WATER
- RAILROADS
- STATE HIGHWAYS
- LOCAL ROADS

DATE OF MAP: 10-22-2024

10(j)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

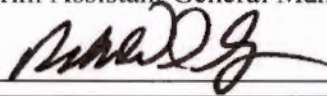
Agenda Item:

Consideration to authorize the filing of an application for financial assistance with the Texas Water Development Board for funding the construction of priority wastewater capital improvement projects.

Prepared By (Print Name): Ronald De La Garza, M.B.A.

Title: Interim Assistant General Manager

Signature:



Brief Summary:

This is an update to City Resolution 23-55 requesting funds for projects through the Texas Water Development Board's (TWDB) Economically Distressed Areas Program (EDAP). HWWS requests to update the application with the total amount requested to \$25,116,404 dollars from the original \$24,000,000.

Funding (if applicable):

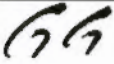
Are funds specifically designated in the current budget for the full amount ☒ Yes ☐ No*
for this purpose?

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

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

Staff Recommendation:

Staff recommends approving the resolution authorizing the issuance of the bonds.

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

Comments:

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

Application Filing and Authorized Representative Resolution

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

BE IT RESOLVED BY THE Elective Commission OF THE City of Harlingen:

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$ 25,116,404.00 to provide for the costs of WWTP and Little Creek Interceptor System Capacity Improvements.

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

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

Financial Advisor: Anne Burger Entrekin
Hilltop Securities, Inc.

Engineer: Javier Garcia
Garcia Infrastructure Consultants

Bond Counsel: William Avila
Bracewell LLP

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

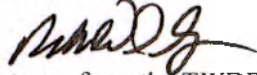
ATTEST: _____

By: _____

(Seal)

(SEAL)

MEMORANDUM

To: Utility Board of Trustees for Harlingen Waterworks System
From: Ronald De La Garza, Finance and Revenue Director
Date: November 6, 2024 
RE: Authorizing Financial Assistance from the TWDB

ANALYSIS

WWTP and Little Creek Interceptor System Capacity Improvements request for financial assistance from Texas Water Development Board was previously approved through Resolution R2324-18 for \$24 million dollars. The Texas Water Development Board has recently increased the potential funding amount to \$25,116,404 through the Economically Distressed Areas Program (EDAP) as described in the following table:

PROJECT COMPONENT	TOTAL
WWTP and Little Creek Interceptor System Capacity Improvements	\$25,116,404
Taxable	\$ 7,250,000
Tax-Exempt	\$17,866,404

A letter of intent to apply for the TWDB will be re-submitted in conjunction with the resolutions approving the intent to apply from both the HWWS Board of Trustees and the City of Harlingen Commission.

Thank you for your consideration.



Economically Distressed Areas Program Intent to Apply

Instructions

Please indicate your intention to apply for funding from the Economically Distressed Areas Program (EDAP) in the amount of \$25,116,404 following the 2022-2023 EDAP Intended Use Plan (IUP), Project Priority List. **Deadline to submit is November, 14, 2024.** Submit this document as an attachment to EDAP@TWDB.texas.gov.

Failure to return this form by the deadline will be considered as no intention to apply and your project will not be considered for funding.

General Information

Abridged Applications No.: _____

Entity (Applicant) Name: _____

Project Name: _____

Intent to Apply

Entity intends to submit an application for this project: ☐ Yes ☐ No

EDAP-eligible Project (\$25,116,404) following the 2022-2023 IUP, Project Priority List is confirmed: ☐ Yes ☐ No

If "No" to either question above, please explain in the space provided below. Please note that due to limited program capacity, only decreases in requested funding amount may be considered. As indicated in your Invitation Letter, funding commitments will consist of a combination of debt obligations, and grants calculated based on the issuance of a formal nuisance determination. TWDB staff may contact you to follow up on any requested adjustments:

Signature

Title

Printed

Email Address and Phone Number

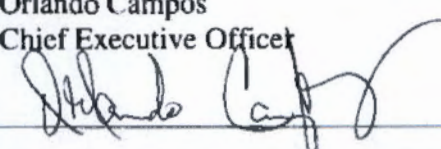
**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:

Presentation of FY 23-24 Program of Work year-end report and consider approval of Program of Work for FY 24-25.

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

Signature: 

Brief Summary:

On October 29, 2024 the HEDC board held a meeting and presented the FY 23-24 Program of Work year-end report and proposed Program of Work for fiscal year 2024-2025. The board unanimously approved the FY 24-25 Program of Work.

Funding (if applicable):

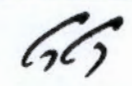
Are funds specifically designated in the current budget for the full amount ☒ Yes ☐ No*

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

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

Staff Recommendation:

HEDC CEO and Board Members recommend approval.

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

Comments:

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



FY 2024-2025 Annual Work Plan

MISSION

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

GUIDING PRINCIPLES

- The purpose of the Corporation is to make a difference by serving as a catalyst for economic growth and vitality in our community to enhance the long-term quality of life for our residents.
- Programs and activities led by the Corporation will be governed by Chapters 501, 502, and 504 of the Texas Local Government Code and by the adopted by-laws established of the Corporation.
- The focus of the Corporation will be to recruit, retain and attract quality companies that create primary jobs.
 - Primary employers sell their goods or services outside the community resulting in new money circulating in the local economy. This new money has a multiplier effect within the community supporting ancillary services in the community that create additional jobs, tax revenue, and economic activity.
 - Harlingen has targeted industries that make sense for the community to attract, grow, and expand to drive sustainable growth.
 - Targeted industries (i.e. manufacturing, logistics and distribution, health and biotech, aerospace) typically pay higher wages.
 - Investment in this sector is typically higher, resulting in greater tax value with fewer burdens on local government services.
 - Potential new firms and existing businesses that consider expansion will be treated equally to further the community's economic development efforts.
 - Local firms create the most jobs and are the best salespeople for the community.
 - Priority will be given to businesses in our targeted industries, and other business enterprises with fifty or more employees on their local payroll that provide sustainable wages.
- A secondary focus of the Corporation will be the promotion of existing and proposed transportation infrastructure that benefits Harlingen.
- Community development activities will be driven by other organizations and groups better apt for the task, but the Corporation may serve as a convener for various organizations, groups, and institutions for this purpose.
- The Corporation will develop new and strengthen existing relationships with strategic stakeholders that will help with the community's economic development efforts.
- The Corporation will provide support to small businesses and startups to help fill a void and to connect them to local resources to retain jobs, to create new jobs, and to bring new investment to the community.
- The Corporation will lead efforts to develop and build a startup hub to launch and grow new business entities in the community that may create primary jobs of the future.

GOAL 1: DEVELOP AN AGGRESSIVE BUSINESS ATTRACTION AND RETENTION STRATEGY

<u>Strategy</u>	<u>Tactic/Key Performance Indicator (KPI)</u>
1a. Business Recruitment (Domestic Industrial). • Conduct Target Industry Analysis • Promote and identify opportunities for spec building construction. • Participate in growth industry tradeshows. • Host corporate prospects in Harlingen. • Align corporate recruitment efforts with targeted industries. • Conduct corporate prospect visits to their HQ locations. • Respond to applicable state and economic development ally RFPs. • Continue to develop relationships with economic development allies.	• Complete Spec Building III platting by Q1 FY 24-25. • Participate in at least three Team Texas industrial trade shows throughout the year. • Respond to at least 100 trade show leads. • Evaluate potential master developer scenario for Industrial Park at Roosevelt by March 2025. • Evaluate and develop lead generation campaign by Jan 2025. • Respond to RFPs as needed and track progress (ongoing). • Visit prospect HQs as needed (ongoing).
1b. Foreign Direct Investment. • Explore opportunities to increase Mexican investment. • Work with US and Mexican Government officials to promote international trade. • Meet with at least four foreign trade organizations and foreign Chambers of Commerce. • Participate in economic development trade missions with allies. • Leverage participation in Select USA to market Harlingen to foreign investors.	• Execute working MOU with Index Matamoros, CODEM, and City of Matamoros, May 2025. • Meet with at least four foreign consulates based in Texas by Spring 2025. • Participate in at least two tradeshows in Mexico organized by economic development allies to promote Harlingen. • Participate in Select USA event promoting Harlingen in May 2025.

	• Meet with US-Mexico Chamber of Commerce to discuss potential collaboration efforts by Summer 2025. • Attend at least one Team Texas international roadshow in 2025.
1c. Retail/Commercial. • Identify and foster relationships with key developers to increase retail and commercial development. • Leverage retail association memberships and participate in tradeshow promoting Harlingen to retail prospects. • Identify sites within Harlingen ripe for retail/commercial development. • Use third-party service providers to develop data-driven recruitment strategies for retailers.	• Participate in Retail Live in Austin event in October to promote Harlingen. • Participate in ICSC Red River event in Dallas in January to promote Harlingen. • Hire legal consultant to identify legal challenges of Valle Vista Mall redevelopment by Dec 2024. • Respond to retail RFPs as needed (ongoing). • Follow-up with retail-focused real estate brokers (ongoing). • Host Commercial Real Estate Professionals Roundtable/Mixer in November 2024. • Leverage Placer.AI platform to develop data-driven prospect proposals (ongoing). • Continue collaboration efforts with RGV Partnership for a third Commercial Investment Tour to promote Harlingen by Summer 2025.
2. Business Retention & Expansion (BRE) • Establish a formal BRE Program. • Meet with local businesses weekly.	• Hire one additional staff member to focus on Entrepreneurship and

• Ensure local company meeting reports are updated in CRM software. • Conduct annual BRE Surveys to target industries. • Support existing small businesses with resources and entrepreneurship programs: ○ Revitalize Harlingen Program ○ People Fund ○ Equip Harlingen Program ○ UTRGV Office of Workforce & Economic Development programs ○ Other board-approved programs • Work with city departments to promote a streamlined permitting process. • Work with local stakeholders to promote a business-friendly environment. • Update and maintain a database of industrial and targeted industry businesses in Harlingen.	Small Business Initiatives by Nov 2024. • Recognize local manufacturers during Manufacturing Week (Oct 2024). • Develop new event targeting local manufacturers for 2025 manufacturing week. • Finalize and incorporate new staff position in the formal BREP Program no later than 2Q-2025. • Visit minimum four local companies weekly. • Conduct annual local industry survey by March 2025. • Conduct quarterly local industry round-tables. • Launch Kauffman FastTrac program no later than Jan 2025. • Promote People Fund programing (Ongoing). • Launch year three Revitalize Harlingen Program in Nov. 2024. • Launch year two Equip Harlingen program in Nov. 2024. • Host "Let's Get Down to Business" in November 2024. • Ongoing updates to CRM system. • Leverage support of UTRGV programs for small businesses and entrepreneurs (ongoing). •
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Strategies:**GOAL 2: FOSTER A HIGHLY SKILLED LOCAL WORKFORCE**

<u>Strategy</u>	<u>Tactic/Key Performance Indicator (KPI)</u>
1. Continue to work with Workforce Solutions Cameron County to identify pools of ready-to-work people and connect them with Harlingen Businesses to fill job openings.	• Meet with WFS Cameron quarterly. • Connect local businesses with WFS Cameron as needed. • Support WFS Cameron job fairs as needed. • Continue funding matching DOL grant to WFS Cameron.
2. Continue to work with Harlingen CISD, TSTC, and other institutions of higher education and workforce training organizations to enhance the local workforce to build a talent pipeline.	• Invite workforce training partners to industry roundtable meetings to identify labor training gaps (quarterly). • Invite workforce training partners to meet with prospects as needed (ongoing). • Promote available training programs during BREP visits (ongoing). • Promote collaboration between HCISD, TSTC and other institutions (ongoing). • Participate in HCISD Ambassador program (Oct to Sept 24-25). • Share workforce needs from local industry survey (Summer 2025). • Host HCISD educators on a local industry overview of the region in August 2025.

	• Participate in school district career days to promote local industry labor pipeline needs (ongoing).
3. Promote and support Internship and Apprenticeship Programs led by local industry partners whenever possible.	• Promote local programs and identify local industry needs as part of BREP visits (ongoing). • Coordinate meetings with local businesses and HCISD and TSTC (ongoing).
4. Identify new workforce training programs based on target industry analysis.	• Evaluate local workforce data to identify growing industries (quarterly). • Coordinate efforts with HCISD and TSTC on future training needs (ongoing). • Meet with targeted industries in Harlingen to identify workforce training gaps (ongoing).

GOAL 3: CREATE AN ENTREPRENEURSHIP/INNOVATION HUB

<u>Strategy</u>	<u>Tactic/Key Performance Indicator (KPI)</u>
1. Finalize entrepreneurship/innovation hub study and market analysis.	• Completed by UTRGV FY 23-24.
2. Establish entrepreneurship/innovation hub ad-hoc committee.	• Select by Q1 2025.
3. Explore potential site locations for site development.	• Develop search criteria and strategies for acquiring property (Q2 2025).

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

<u>Strategy</u>	<u>Tactic/Key Performance Indicator (KPI)</u>
1. Identify and prioritize transportation routes necessary for industrial development.	• Begin infrastructure work at Park at Roosevelt by Q2-2025. • Promote priorities in legislative agendas (ongoing).
2. Support efforts to improve the Port of Harlingen's capacity.	• Meet with Port Director quarterly. • Support Port efforts as needed (ongoing).
3. Work with VIA to support air service development.	• Meet with Aviation Director quarterly. • Support airport efforts as needed (ongoing). • Develop risk mitigation strategy as needed (ongoing).
4. Support intermodal transportation hub development and more efficient rail service in Harlingen and at the Port of Harlingen.	• Promote and support rail efforts as needed (ongoing).
5. Advocate and work with local, state, and federal Mexican officials to improve services on the Mexican side of the border to optimize commercial traffic into Mexico.	• Meet with Mexican stakeholders to lobby for greater use of bridge (ongoing).
6. Work with Cameron County and Mexican officials to promote and increase traffic at the Free Trade International Bridge at Los Indios.	• Work with Los Indios bridge partners to develop Mexican marketing strategy to promote bridge (Q2 2025). • Incorporate Los Indios Bridge benefits in all new marketing collateral (ongoing).

7. Support and advocate the Outer Parkway to the 2 nd Causeway to South Padre Island.	• Participate in and promote TxDOT public hearings on project (ongoing).
8. Work with utility service providers to enhance infrastructure for industrial development.	• Coordinate meeting with utility providers and key stakeholders to identify future demand and construction needs (Q2 2025). • Invite utility providers to meet with prospects as needed (ongoing).

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

<u>Strategy</u>	<u>Tactic/Key Performance Indicator (KPI)</u>
1. Hire a professional marketing agency to assist in the development of unified brand and messaging for domestic and international markets.	• Completed Year 1 (FY 23-24).
2. Utilize target industry analysis to enhance strategic marketing efforts.	• Develop new collateral material for targeted industries by end of Q2. • Leverage social media platforms for targeted marketing campaigns by end of Q1.
3. Refine marketing placement strategy.	• Continuous collaborative effort with Marketing Alliance to optimize our presence.
4. Establish a collaborative marketing committee with city stakeholders to develop a cohesive message that all stakeholders/partners can promote.	• Identify key stakeholders by Jan 2025 • Establish committee by Feb. 2025. • Host first meeting by March 2025.

	• Develop cohesive message by June 2025.
5. Develop marketing collateral for tradeshow, recruitment, and retention efforts.	• Ongoing as needed. • Purchase new SWAG by Jan 2025.
6. Incorporate quality of life aspects in our marketing collateral.	• Ongoing. • Engage with Social Media influencer by Feb 2025 to promote quality-of-life assets and increase engagement.
7. Leverage social media to increase followers, website visitors, and promote community engagement.	• Evaluate effectiveness of digital marketing campaigns quarterly. • Develop new campaigns as needed. • Hit 10k followers on Facebook by July 2025.
8. Launch quarterly e-newsletter.	• Launch newsletter in April 2025
9. Leverage media outlets to tell our story.	• Promote press releases to local media outlets (ongoing).

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

<u>Strategy</u>	<u>Tactic/Key Performance Indicator (KPI)</u>
1. Ensure HEDC staff and board is compliant with required Sales Tax and other training.	• Based on new board appointments and/or staff hires (ongoing).
2. Be strategic on purchasing professional memberships.	• Ongoing.
3. Evaluate and determine the need for tools such as CRM, BRE, COSTAR, etc. that help us do our job.	• Ongoing.
4. Update staff annual performance review form.	• Complete by Q1 2025.
5. Develop corporate attraction and business retention incentive guidelines.	• Complete by Apr. 2025.

6. Establish an onboarding process for new staff and board members.	• Complete by Q1 2025.
7. Encourage staff to participate in formal training programs to expand their educational capacity in economic development.	• Ongoing.
8. Establish annual meetings with major partners (i.e.: HCISD, Type A, Type B, Airport Board, HWWS, Planning and Development, Port of Harlingen, and Harlingen City Commission) to promote community collaboration.	• TBD.
9. Diversify economic development funding by researching grant opportunities from the federal, state, and private sectors.	• Ongoing.

DEFINITION PAGE

BREP: Business Retention and Expansion Program.

CDI: Community Development Institute.

CODEM: Matamoros Economic Development Committee.

COSTAR: Commercial real estate online information search platform.

CRM: Customer relationship management.

CTE: Career and Technology Education

EDO: Economic Development Organization

Fabtech: Fabrication Technology is North America's largest metal forming, fabricating, welding and finishing trade show.

HCISD: Harlingen Consolidated Independent School District.

HQ: Headquarter.

HWWS: Harlingen Water Works System

IAMC: Industrial Asset Management Council.

ICSC Red River: International Council of Shopping Centers regional tradeshow hosted in Dallas to promote deal-making amongst retailers, brokers, developers, and communities.

IEDC: International Economic Development Council.

INBIA: International Business Innovation Association. Global network of entrepreneurial ecosystem builders.

Index Matamoros: Matamoros maquiladora association.

Kauffman FastTrac Program: Seven-week intense training program for entrepreneurs and small businesses to equip them with business skills and insights, tools, resources, and peer networks necessary to start and grow successful businesses.

MOU: Memorandum of Understanding.

MRO: Maintenance, repair and overhaul aircraft repair operation.

OUEDI: University of Oklahoma Economic Development Institute.

People Fund: Lending company providing entrepreneurs and small businesses access capital and business-focused educational assistance.

Placer.AI: Market intelligence software platform providing up to date data gathered through cell phone users.

Retail Live: National commercial real estate networking event that brings retailers together with the industry's leading landlords, brokers, developers and communities.

RFP: Request for Proposal.

Select USA: Federal program housed within the US Department of Commerce charged to promote and facilitate foreign business investment into the U.S.

Team Texas: member-based state business attraction program through Texas Economic Development Council, the professional association for Texas economic developers.

TEDC: Texas Economic Development Council.

TSTC: Texas State Technical College.

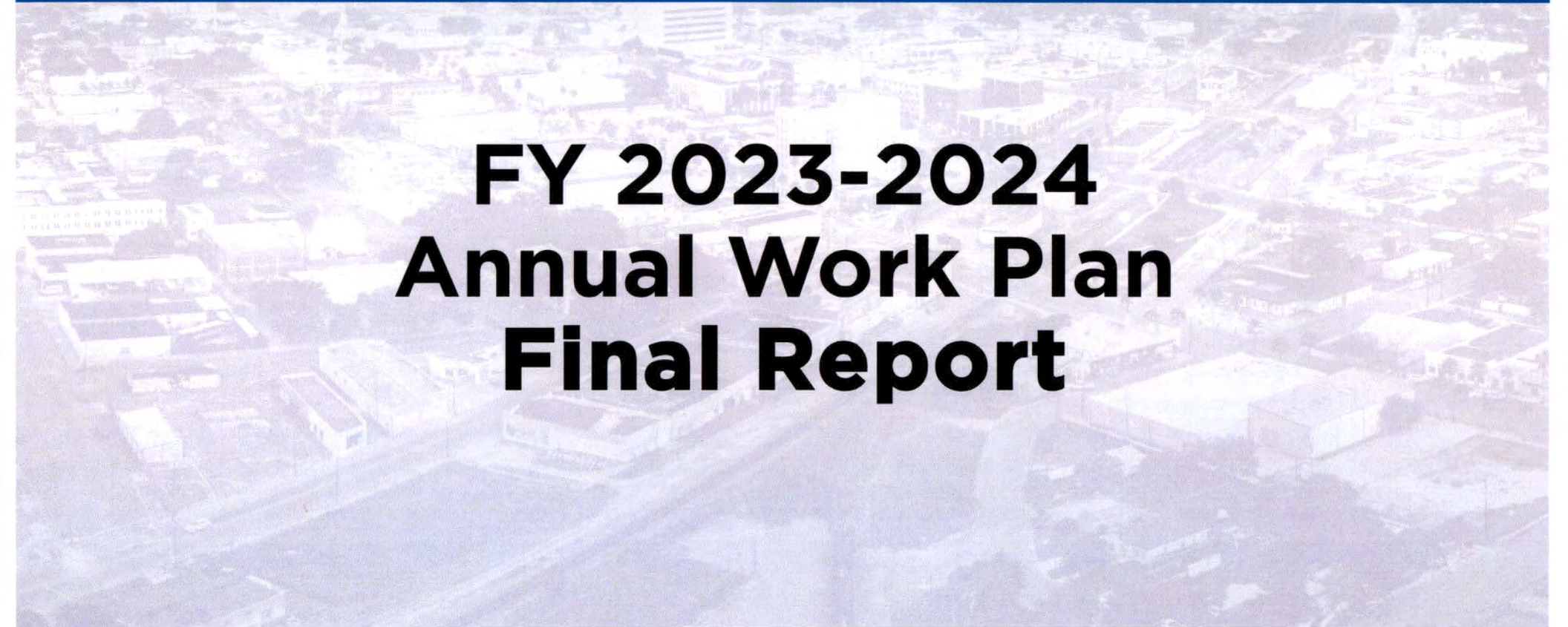
UTRGV: University of Texas Rio Grande Valley.

VIA: Valley International Airport.

WFS Cameron: Workforce Solutions Cameron.

Organizational Chart



The background of the lower two-thirds of the page is a faded, light blue aerial photograph of Harlingen, Texas. It shows a dense urban area with various buildings, streets, and green spaces.

FY 2023-2024 Annual Work Plan Final Report

FY 2023-2024 Characteristics

1. Evaluation:

- Existing program processes and identify gaps.
- Existing staffing:
 - Job duties.
 - Training.
- Ensure budget is aligned with our strategic goals.

2. Realignment/Pivoting/Repositioning.

3. Execute.

- Three-year Strategic Plan serves as foundation for Annual Workplan.
- Workplan ensures strategic plan remains alive.



Goal 1: Develop an aggressive business attraction and retention strategy

- Attended **nine** tradeshows including two in Mexico, and one in Canada to promote Harlingen.
- Conducted **50+ tradeshow** follow-ups.
- Submitted **32** corporate relocation proposals to Governor's Office.
- Reconnected with Mexico through collaborations with Index Matamoros, Matamoros Economic Development Committee, City of Matamoros, State of Tamaulipas ED Department, Mexican Consulate, and US Consulate.
- Conducted **121 local company visits**.
- Revitalized Harlingen has supported **22 small businesses** who have invested over **\$568,000 in façade improvements**. This program has **retained and/or created 82 jobs**.
- Equip Harlingen Grant Program supported two small businesses on equipment purchases.



Goal 1: Develop an aggressive business attraction and retention strategy

- Hosted **four roundtables** for manufacturing, healthcare, workforce partners, and financial industries.
- Hosted Commercial Investment Tour with RGV Partnership and had **75 local investment participate**.
- **Seven businesses** supported by PeopleFund that have created **83 new jobs**.
- Launched and hosted **first-ever “Let’s Get Down to Business” Event**.
- Hosted **seven Small Business Advisory Committee Meetings**.
- Hosted Starbase, TX general manager on an overview of SpaceX activities.
- Closed four projects generating **635 new jobs** with a capital investment of over **\$17 million** and projected local sales tax of **\$3 million** over 10 years.
- **11 active projects** underway.



Goal 2: Foster a Highly Skilled Local Workforce

- Provided TSTC with a **\$1.5 million grant** for land purchase to build and expand training programs.
- Provided TSTC **\$100,000** for Goal Line Assistance Program and Signing Day Scholarships targeting Harlingen Residents.
- Provided **\$50,000 training grant** to Valley Initiative for Development and Advancement (VIDA) to support at-risk Harlingen residents.
- Provided Workforce Cameron with **\$50,000 local match grant** for in-demand, high-paying workforce training programs.
- Coordinated **one bus tour job fair** for jobseekers and local employers.
- Coordinated **Apply Harlingen Job Fair** that attracted ## jobseekers.
- CEO appointed by Workforce Cameron to Pathways Leadership Steering Committee.
- Coordinated local industry training programs with Texas A&M TEEX and local companies.



Goal 3: Create an Entrepreneurship/Innovation Hub

- Year of evaluation and building the entrepreneurship eco-system in collaboration with UTRGV.
- Sponsored ten local owned small businesses on Kauffman Foundation FasTrac Program.
- Sponsored ten locally owned small businesses on UTRGV Accelerator Program.
- **\$65,000 in cash grants** awarded to three businesses at RISE Up Harlingen Pitch Competition.



Goal 4: Support Infrastructure for Local Industry.

- Received **\$6.5 million grant** from Economic Development Grant for new detention pond at Industrial Park at Roosevelt.
- Completed engineering design work for detention pond.
- Completed widening of drainage ditch at Harlingen Industrial Park.
- Participated in Washington DC trip with RGV Partnership to support local infrastructure needs.
- Collaboration underway with Cameron County to increase commercial traffic at Los Indios International Bridge.
- Coordinated meeting with AEP and Valley International Airport on electrical capacity increases to eastern industrial area of Harlingen.



Goal 5: Develop and Execute a Unified Marketing Program to Elevate Harlingen Local, Nationally, and Internationally.

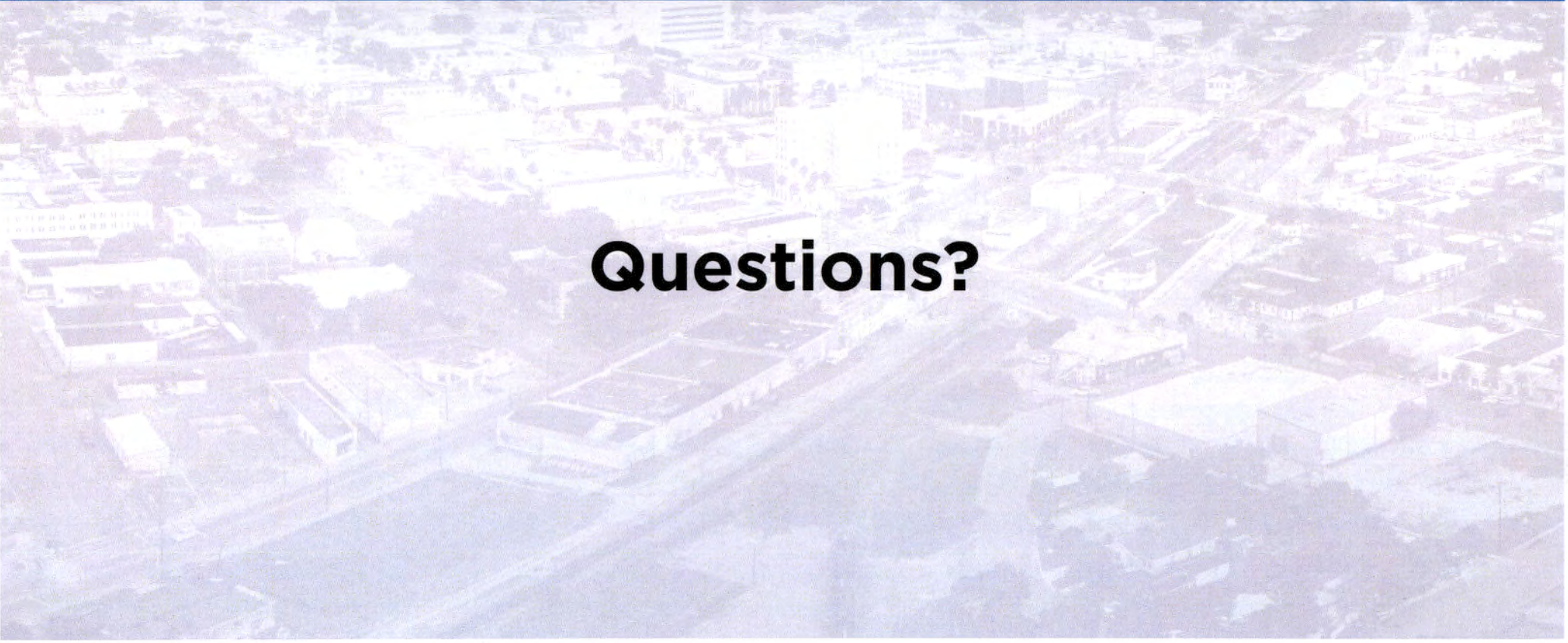
- New marketing agency hired.
- New marketing brand (logo) created and adopted.
- New website development launched.
- New digital marketing ads created.
- New promotional video created.
- Initiated collaborative promotional efforts of Cameron County with Brownsville and county counterparts.
- Social media followers increased by 2,500 followers.
- Participated in over 10 TV, radio, and newspaper interviews.



Goal 6: Elevate Organizational Structure to be a Model for Economic Development

- All board and staff members compliant with required state economic development state training requirements.
- One staff member reclassified.
- Ongoing economic development staff training.
- Association memberships re-evaluated.
- Outside board appointments:
 - RGV Partnership.
 - LRGVDC, Economic Development Advisory Committee.





Questions?

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **November 6, 2024**

Agenda Item:	
Consideration and possible action to allocate \$1,000,000 from the HOT Fund Balance for the Casa Del Sol Renovation Project. Attachment (This item was tabled at the Regular City Commission Meeting of October 21, 2024) (<i>City Manager</i>)	
Prepared By: Gabriel Gonzalez, City Manager	
Brief Summary:	
As you know, the Casa Del Sol had pieces of the ceiling detach and fall onto the floor. As a result, all rentals for the facility through the rest of this calendar year and continuing through June 2025 have been canceled. The very preliminary cost to have the facility renovated are approximately \$3,000,000. The Hotel Occupancy Tax Fund Balance has \$3,111,418 in reserve, and i am asking to take \$1,000,000 from the balance to begin work on the design and reconstruction of the facility. We would still need to identify where the remaining funds would be taken from. During Scott Joslove's visit to Harlingen, he did indicate HOT funds could be used for the renovation of the Casa Del Sol. Attached are copies of the Interim Financial Statements for the Hotel Occupancy Tax Fund and preliminary cost estimates for the renovation of the Casa del Sol.	
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 - Hotel / Motel Fund

Interim Financial Statements

As of August 31, 2024

City of Harlingen - Hotel / Motel Fund
BALANCE SHEET
As of August 31, 2024

ASSETS

Texpool	\$ 3,039,150
Accounts Receivable/Miscellaneous	<u>72,268</u>
TOTAL ASSETS	<u>\$ 3,111,418</u>

LIABILITIES AND FUND BALANCE

Liabilities	\$ 57,268
Fund Balance	<u>3,054,150</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>\$ 3,111,418</u>

City of Harlingen - Hotel / Motel Fund
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
For the Eleven Months Ending August 31, 2024

	Current Month	Current Year to Date	Encumbrances	FY 23-24 Annual Budget	Unrealized Balance	92% of Budget
<u>Revenues</u>						
Hotel/Motel Taxes	\$ 160,837	\$ 1,478,009	\$ -	\$ 760,000	\$ (718,009)	194%
Investment Earnings	14,088	137,365	-	1,000	(136,365)	13737%
Total Revenues	\$ 174,925	\$ 1,615,374	\$ -	\$ 761,000	\$ (854,374)	13930.97%
<u>Expenditures</u>						
<u>CHAMBER OF COMMERCE</u>						
Services & Charges - Misc	\$ -	\$ 92,000	\$ -	\$ 111,500	\$ 19,500	83%
<u>CULTURE & RECREATIONS</u>						
Services & Charges - Misc	-	189,780	-	204,780	15,000	93%
<u>TRANSFERS TO OTHER FUNDS</u>						
Convention/Visitors Bureau	40,000	440,000	-	480,000	40,000	92%
Harlingen Downtown	2,667	29,337	-	32,000	2,663	92%
Debt Service Fund	19,333	212,863	-	232,000		
Municipal Auditorium	4,167	53,729	-	50,000	(3,729)	107%
Harlingen Arts Museum	7,000	81,946	-	84,000	2,054	88%
Total Expenditures	\$ 73,167	\$ 1,099,455	\$ -	\$ 1,194,280	\$ 94,825	92%
Excess Revenues over Expenditures	\$ 101,758	\$ 515,919		\$ (433,280)	\$ (949,199)	
Fund Balance, Beginning of year		2,538,231				
Fund Balance, Year to Date		\$ 3,054,150				

PREPARED 09/12/2024, 09:30:13
PROGRAM: GM270L
CITY OF HARLINGEN

DETAIL TRIAL BALANCE
AS OF 08/31/2024

PAGE 1

ACCOUNTING PERIOD 11/2024

FUND 105 Hotel/Motel

ACCOUNT	DESCRIPTION	DEBIT BALANCE	CREDIT BALANCE
0000-102.01-00	Demand / Unrestricted	3,039,150.81	
0000-112.99-00	Accounts Receivable / Miscellaneous Receivables	72,268.24	
0000-211.99-00	Deferred/Unearned Revenue / Miscellaneous		57,268.24
0000-271.00-00	Fund Balance / Unreserved		2,538,231.27
0000-304.03-00	Taxes - Other / Hotel/Motel		1,451,009.31
0000-304.04-00	Taxes - Other / Penalty & Interest - H/M		27,000.00
0000-361.06-00	Interest - Investments / TexPool		137,303.12
0000-361.11-00	Interest - Investments / NOW		62.11
6060-803.30-01	Srvcs & Chrgs - General / Utilities/Communications	15,000.00	
6101-834.39-35	Srvcs & Chrgs - Misc / Birding Festival	61,000.00	
6101-834.39-36	Srvcs & Chrgs - Misc / Birding Festival Expenses	16,000.00	
6199-834.39-33	Srvcs & Chrgs - Misc / Harl Performing Art Theat	189,780.00	
9999-991.91-09	Other Finan Uses-Transfer / To Convention/Visitors Bu	440,000.00	
9999-991.91-17	Other Finan Uses-Transfer / To Harlingen Downtown Fd.	29,337.00	
9999-991.91-21	Other Finan Uses-Transfer / Debt Service Fund	212,663.00	
9999-991.91-41	Other Finan Uses-Transfer / To Municipal Audi. Fund	53,729.00	
9999-991.91-43	Other Finan Uses-Transfer / To Harl Arts Museum Fund	81,946.00	
FUND TOTALS		4,210,874.05	4,210,874.05

FUND IS IN BALANCE

PREPARED 09/12/2024, 9:49:33
PROGRAM: GM259L

CITY OF HARLINGEN
REVENUE REPORT
92% OF YEAR LAPSED

PAGE 1

ACCOUNTING PERIOD 11/2024

CITY OF HARLINGEN

FUND 105 Hotel/Motel		***** CURRENT *****			***** YEAR-TO-DATE *****			ANNUAL	UNREALIZED
ACCOUNT	ACCOUNT DESCRIPTION	ESTIMATED	ACTUAL	%REV	ESTIMATED	ACTUAL	%REV	ESTIMATE	BALANCE
300	Taxes								
304	Taxes - Other								
03 00	Hotel/Motel	133,333	157,837.39	118	1,466,663	1,451,009.31	99	1,600,000	148,990.69
04 00	Penalty & Interest - H/M	291	3,000.00	1031	3,201	27,000.00	844	3,500	23,500.00-
05 00	Hotel/Motel Tax Refund	0	.00		0	.00		0	.00
08 00	Delinquent Taxes	6,250	.00		68,750	.00		75,000	75,000.00
09 00	Short-term Rental (STR)	0	.00		0	.00		0	.00
304	** Taxes - Other	139,874	160,837.39	115	1,538,614	1,478,009.31	96	1,678,500	200,490.69
300	*** Taxes	139,874	160,837.39		1,538,614	1,478,009.31		1,678,500	200,490.69
360	Interest								
361	Interest - Investments								
01 00	CD's	0	.00		0	.00		0	.00
06 00	TexPool	5,366	14,087.90	263	59,026	137,303.12	233	64,400	72,903.12-
11 00	NOW	148	.00		1,628	62.11	4	1,780	1,717.89
361	** Interest - Investments	5,514	14,087.90	256	60,654	137,365.23	227	66,180	71,185.23-
360	*** Interest	5,514	14,087.90		60,654	137,365.23		66,180	71,185.23-
390	Other Financing Sources								
391	Transfer In From								
49 00	Grants Fund	0	.00		0	.00		0	.00
391	** Transfer In From	0	.00		0	.00		0	.00
390	*** Other Financing Sources	0	.00		0	.00		0	.00
FUND TOTAL Hotel/Motel		145,388	174,925.29		1,599,268	1,615,374.54		1,744,680	129,305.46
GRAND TOTAL		145,388	174,925.29		1,599,268	1,615,374.54		1,744,680	129,305.46

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PROGRAM: GM267L
CITY OF HARLINGEN

DETAIL BUDGET REPORT
92% OF YEAR LAPSED

PAGE 1
ACCOUNTING PERIOD 11/2024

REPORT SELECTIONS

Fiscal year : 2024
Fund : 105
All Departments
All Divisions
Suppress accounts with zero balances : N

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PROGRAM: GM267L
CITY OF HARLINGEN

DETAIL BUDGET REPORT
92% OF YEAR LAPSED

PAGE 2
ACCOUNTING PERIOD 11/2024

FUND 105 Hotel/Motel			DIV/DEPT 6060 Park & Recreation/Tourism Recreation									
BA ELE OBJ		ACCOUNT	*****CURRENT*****			*****YEAR-TO-DATE*****				ANNUAL	UNENCUMB.	%
SUB	SUB	DESCRIPTION	BUDGET	ACTUAL	%EXP	BUDGET	ACTUAL	%EXP	ENCUMBR.	BUDGET	BALANCE	BDGT
80		Public Services										
803		Recreation										
	30	Srvcs & Chrgs - General										
	30 01	Utilities/Communications	0	.00	0	0	15000.00	0	.00	0	15000.00-	0
	30 60	Contract Labor	0	.00	0	0	.00	0	.00	0	.00	0
	30 **	Srvcs & Chrgs - General	0	.00	0	0	15000.00	0	.00	0	15000.00-	0
803	** **	Recreation	0	.00	0	0	15000.00	0	.00	0	15000.00-	0
80	** **	Public Services	0	.00	0	0	15000.00	0	.00	0	15000.00-	0
DEPT 6060	TOTAL *****											
		Tourism Recreation	0	.00	0	0	15000.00	0	.00	0	15000.00-	0
DIV	60	TOTAL *****										
		Park & Recreation	0	.00	0	0	15000.00	0	.00	0	15000.00-	0

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PROGRAM: GM267L
CITY OF HARLINGEN

DETAIL BUDGET REPORT
92% OF YEAR LAPSED

PAGE 3
ACCOUNTING PERIOD 11/2024

FUND 105 Hotel/Motel			DIV/DEPT 6101 Hotel/Motel/Tourism									
BA	ELE OBJ	ACCOUNT	*****CURRENT*****			*****YEAR-TO-DATE*****				ANNUAL	UNENCUMB.	%
SUB	SUB	DESCRIPTION	BUDGET	ACTUAL	%EXP	BUDGET	ACTUAL	%EXP	ENCUMBR.	BUDGET	BALANCE	BDGT

83		Culture & Recreation										
834		Special Activities										
30		Srvcs & Chrgs - General										
30 18		Advertising	0	.00	0	0	.00	0	.00	0	.00	0
30 30		Dues,Memberships & Subscr	875	.00	0	9625	.00	0	.00	10500	10500.00	0
30 **		Srvcs & Chrgs - General	875	.00	0	9625	.00	0	.00	10500	10500.00	0
39		Srvcs & Chrgs - Misc										
39 35		Birding Festival	5083	.00	0	55913	61000.00	109	.00	61000	.00	100
39 36		Birding Festival Expenses	3333	.00	0	36663	16000.00	44	.00	40000	24000.00	40
39 **		Srvcs & Chrgs - Misc	8416	.00	0	92576	77000.00	83	.00	101000	24000.00	76
834 ** **		Special Activities	9291	.00	0	102201	77000.00	75	.00	111500	34500.00	69
83 ** **		Culture & Recreation	9291	.00	0	102201	77000.00	75	.00	111500	34500.00	69
DEPT 6101		TOTAL *****										
		Tourism	9291	.00	0	102201	77000.00	75	.00	111500	34500.00	69

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PROGRAM: GM267L
CITY OF HARLINGEN

DETAIL BUDGET REPORT
92% OF YEAR LAPSED

PAGE 4
ACCOUNTING PERIOD 11/2024

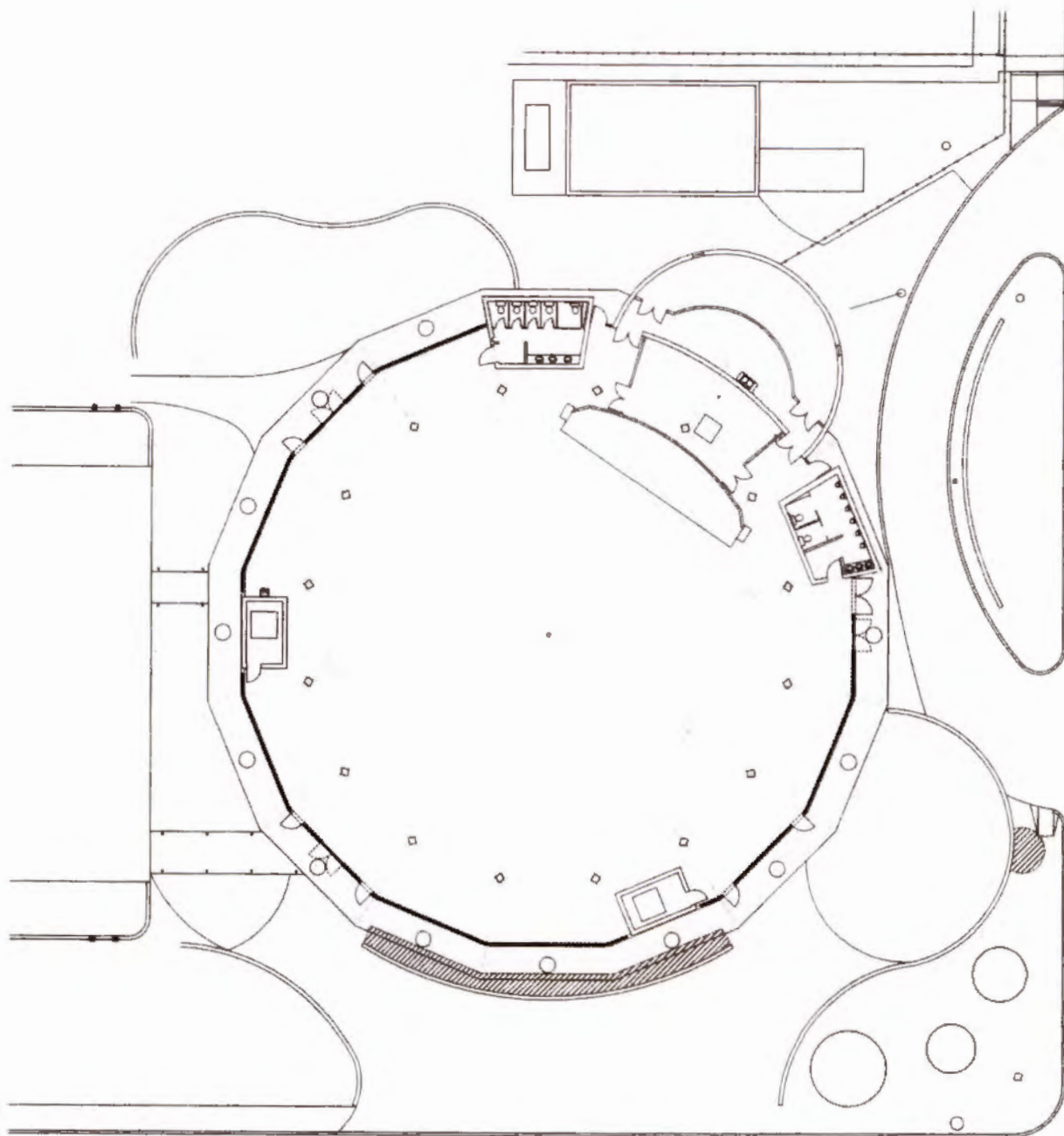
FUND 105 Hotel/Motel			DIV/DEPT 6199 Hotel/Motel/Miscellaneous									
BA	ELE OBJ	ACCOUNT	*****CURRENT*****			*****YEAR-TO-DATE*****			ENCUMBR.	ANNUAL BUDGET	UNENCUMB. BALANCE	% BDGT
SUB	SUB	DESCRIPTION	BUDGET	ACTUAL	%EXP	BUDGET	ACTUAL	%EXP				
83		Culture & Recreation										
834		Special Activities										
	39	Srvcs & Chrgs - Misc										
	39 13	Iwo Jima	1250	.00	0	13750	.00	0	.00	15000	15000.00	0
	39 14	MMA	0	.00	0	0	.00	0	.00	0	.00	0
	39 33	Harl Performing Art Theat	25603	.00	0	164098	189780.00	116	.00	189780	.00	100
	39 **	Srvcs & Chrgs - Misc	26933	.00	0	177848	189780.00	107	.00	204780	15000.00	93
834	** **	Special Activities	26933	.00	0	177848	189780.00	107	.00	204780	15000.00	93
83	** **	Culture & Recreation	26933	.00	0	177848	189780.00	107	.00	204780	15000.00	93
DEPT 6199	TOTAL *****	Miscellaneous	26933	.00	0	177848	189780.00	107	.00	204780	15000.00	93
DIV 61	TOTAL *****	Hotel/Motel	36224	.00	0	280049	266780.00	95	.00	316280	49500.00	84

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PROGRAM: GM267L
CITY OF HARLINGEN

DETAIL BUDGET REPORT
92% OF YEAR LAPSED

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ACCOUNTING PERIOD 11/2024

FUND 105 Hotel/Motel			DIV/DEPT 9999 Non-Departmental/Transfers to Other Funds						ANNUAL BUDGET	UNENCUMB. BALANCE	% BDGT
BA	ELE	OBJ	*****CURRENT*****	*****YEAR-TO-DATE*****							
SUB	SUB	DESCRIPTION	BUDGET	ACTUAL	%EXP	BUDGET	ACTUAL	%EXP	ENCUMBR.		
99		Transfers									
991		Other Finan Uses-Transfer									
91		Other Finan Uses-Transfer									
91 09		To Convention/Visitors Bu	40000	40000.00	100	440000	440000.00	100	.00	480000	40000.00 92
91 17		To Harlingen Downtown Pd.	2666	2667.00	100	29326	29337.00	100	.00	32000	2663.00 92
91 21		Debt Service Fund	19333	19333.00	100	212663	212663.00	100	.00	232000	19337.00 92
91 41		To Municipal Audi. Fund	4166	4167.00	100	45826	53729.00	117	.00	50000	3729.00- 108
91 43		To Harl Arts Museum Fund	7000	7000.00	100	77000	81946.00	106	.00	84000	2054.00 98
91 **		Other Finan Uses-Transfer	73165	73167.00	100	804815	817675.00	102	.00	878000	60325.00 93
991 **		Other Finan Uses-Transfer	73165	73167.00	100	804815	817675.00	102	.00	878000	60325.00 93
99 **		Transfers	73165	73167.00	100	804815	817675.00	102	.00	878000	60325.00 93
DEPT 9999		TOTAL *****									
		Transfers to Other Funds	73165	73167.00	100	804815	817675.00	102	.00	878000	60325.00 93
DIV 99		TOTAL *****									
		Non-Departmental	73165	73167.00	100	804815	817675.00	102	.00	878000	60325.00 93
FUND 105		TOTAL *****									
		Hotel/Motel	109389	73167.00	67	1084864	1099455.00	101	.00	1194280	94825.00 92
GRAND		TOTAL *****	109389	73167.00	67	1084864	1099455.00	101	.00	1194280	94825.00 92



CASA DEL SOL RENOVATION

BUDGET ESTIMATE

2024.08.12

No	System/Component	Qty	Unit	Cost Per UNIT	Subtotal
GENERAL CONSTRUCTION					
1.1	PERMIT	LUMP SUM		\$	3,500.00
1.2	RE-ROOFING (COMPLETE REMOVAL & REPLACEMENT)	15,000.00	S.F	\$40.00	\$ 600,000.00
1.3	SELECTIVE DEMOLITION	LUMP SUM		\$	75,000.00
1.4	MISCELLANEOUS PAVING REPAIR (ACCESSIBLE ROUTE)	6,000.00	S.F	\$8.00	\$ 48,000.00
1.5	MISCELLANEOUS FRAMING MODIFICATIONS	LUMP SUM		\$	25,000.00
1.6	CONCRETE DECK REPAIR	LUMP SUM		\$	50,000.00
1.7	DUMPSTER ENCLOSURE	LUMP SUM		\$	15,000.00
1.8	LANDSCAPE IRRIGATION	LUMP SUM		\$	75,000.00
1.9	FENCING UPGRADES	250.00	L.F	\$75.00	\$ 18,750.00
1.1	ROOF DRAINS (CONNECT TO SITE DRAINAGE)	16.00	EA	\$1,000.00	\$ 16,000.00
1.11	REPAIR SPALLING CONCRETE	LUMP SUM		\$	40,000.00
1.12	NEW GLAZED WALLS	3,000.00	S.F	\$135.00	\$ 405,000.00
1.13	MASONRY WALL REPAIR	60.00	S.F	\$25.00	\$ 1,500.00
1.14	NEW EXTERIOR DOORS	7.00	EA	\$3,000.00	\$ 21,000.00
1.15	RESTROOM UPGRADES (FIXTURES, ETC.)	500.00	S.F	\$150.00	\$ 75,000.00
1.16	KITCHEN UPGRADES	800.00	S.F	\$30.00	\$ 24,000.00
1.17	MISCELLANEOUS FINISHES (WALLS ETC)	LUMP SUM		\$	85,000.00
1.18	TERRAZZO REPAIR	10,000.00	S.F	\$7.50	\$ 75,000.00
1.19	PAINTING	12,000.00	S.F	\$3.50	\$ 42,000.00
1.20	MISCELLANEOUS MECHANICAL UPGRADES (TBD)	LUMP SUM		\$	120,000.00
1.21	MISCELLANEOUS ELECT LIGHTING UPGRADES	LUMP SUM		\$	200,000.00
1.22	CONTINGENCY	LUMP SUM		\$	35,000.00
	CONSTRUCTION SUBTOTAL			\$	2,049,780.00
CONTRACTOR FEE					
2.1	CONTRACTOR'S FEE OF CONSTRUCTION SUBTOTAL	18%		\$	368,955.00
	TOTAL CONSTRUCTION CONTRACT AMOUNT (COST OF WORK)			\$	2,418,705.00
FURNITURE, FIXTURES, AND EQUIPMENT (OWNER FURNISHED)					
3.1	ARCHITECTURE & ENGINEERING	8%		\$	193,496.40
3.2	FURNITURE, FIXTURES, EQUIPMENT	LUMP SUM		\$	50,000.00
3.3	AUDIO VISUAL SYSTEM UPGRADES	LUMP SUM		\$	50,000.00
3.4	HAZARDOUS MATERIAL TESTING ABATEMENT	ESTIMATE		\$	35,000.00
	SUBTOTAL			\$	328,496.40
	TOTAL PROJECT COST			\$	2,747,201.40

IN PROVIDING OPINIONS OF PROBABLE CONSTRUCTION COST OR PROFESSIONAL FEES, THE CLIENT UNDERSTANDS THAT THE ARCHITECT HAS NO CONTROL OVER COSTS OR THE PRICE OF LABOR, EQUIPMENT, MATERIALS, OR THE CONTRACTOR'S METHOD OF PRICING. THE OPINIONS OF PROBABLE CONSTRUCTION COSTS PROVIDED HEREIN ARE MADE ON THE BASIS OF THE ARCHITECT'S QUALIFICATIONS, EXPERIENCE AND RESEARCH. THE ARCHITECT MAKES NO WARRANTY, EXPRESSED OR IMPLIED, AS TO THE ACCURACY OF SUCH OPINIONS AS COMPARED TO BID OR ACTUAL COSTS.