

**CITY COMMISSION
AGENDA
REGULAR MEETING
JANUARY 15, 2025
@ 5:30 PM
CITY HALL, TOWN HALL MEETING ROOM
2ND FLOOR, 118 E. TYLER AVENUE
HARLINGEN, TEXAS**

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **WEDNESDAY, JANUARY 15, 2025 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 Rene Perez
 - b) Pledge of Allegiance
 - c) Welcome Citizens
- 2) **Conflict of Interest**

" Under State Law, a conflict of interest exists if a commission member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at the time? " **(City Attorney)**
- 3) **Announcements:** *With respect to items not listed elsewhere on this agenda, the City Commission may report on items of community interest, including announcing community events, announcing employee or community recognitions.*
 - a) Mayor's Announcements
 - b) City Manager's Announcements
 - c) City Commission Member Announcements
- 4) **Proclamation/Presentation of Awards:**
 - a) Harlingen Animal Shelter - "Pet of the Week"
 - b) Mayor's Business of the Month - "Just Fresh"
 - c) Proclamation - National Society Daughters of the American Revolution
 - d) Proclamation - Amanda C. Elizondo - 13 years and 7 months of service to the City of Harlingen
- 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 November 20, 2024
 - b) Regular Meeting of December 4, 2024
- 7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*
 - a) Consideration and possible action to adopt an ordinance on second and final reading for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 318 S. New Hampshire Street, bearing a legal description of Lot 1, Block 3, South New Hampshire Subdivision. Applicant: Juan Ruiz. Attachment **(Planning & Development)**
 - b) Consideration and possible action to adopt an ordinance on second and final reading for a rezoning request from Not-Designated ("N") District to Planned Development ("PD") District for

one (1) commercial lot and fifteen (15) duplex lots out of Lot 1, Block 2, Georgette Subdivision, located at the southwest corner of Ted Johnson Lane and Bass Boulevard. Applicant: Georgina Gonzalez. Attachment. **(Planning & Development)**

- c) Consideration and possible action to adopt an ordinance on second and final reading to abandon and vacate the South 18 feet of an existing 65-foot shared parking and access easement, being 0.12 acres out of Lot 3, Coastal Subdivision, located at 6102 W. Expressway 83. Applicant: Trimani Investments Harlingen LLC. Attachment **(Planning & Development)**
- d) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 1505 Thacker Lane, bearing a legal description of Lots 14 and 15, Block 3, Oak Ranch Estates Subdivision Phase III. Applicant: John Louis Castillo. Attachment **(Planning & Development)**
- e) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 910 Morgan Boulevard, Suite B, bearing a legal description of Lots 8-9-10-11, Rio Land Subdivision. Applicant: Anthony Aguilar. Attachment **(Planning & Development)**
- f) 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 Commissioner Rene Perez)**
 - 1. 1200/1300 Block of South "J" Street
 - 2. Paloma Lane between Business 83 and Garcia's Lane
 - 3. Palm Vista Dr. between Beckham Rd. and Palmetto Dr.
- g) Consideration and possible action to approve a resolution accepting the Federal Aviation Administration (FAA) anticipated Grant Offer No. 3-48-0101-080-2024 for \$1,128,000.00 for the Air Traffic Control Tower Project at Valley International Airport. Attachment **(Airport)**
- h) Consideration and possible action to approve a resolution accepting the Federal Aviation Administration (FAA) Anticipated Grant Offer No. 3-48-0101-081-2024 for \$3,821,832.00 for the Air Traffic Control Tower Project at Valley International Airport. Attachment **(Airport)**
- i) Consideration and possible action to approve the renewal of the Government Lease Document N62467-87-RP-00006 for use of 15.0 acres of land located at 1300 Fair Park Blvd., Harlingen, TX, currently used by the Navy Operational Support Center (NOSC) for a term beginning January 1, 2025, and ending December 31, 2025. Attachment **(Parks & Recreation)**
- j) Consideration and possible action to approve the list of items for the City's second auction. Attachment **(Public Works)**
- k) Consideration and possible action to approve the removal and disposal of approximately 13,000 square feet of Asbestos-containing textured material at Casa Del Sol and to award contract to R.L. Abatement, Inc. for \$109,000. Attachment **(Public Works)**
- l) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Preservation Trust Fund. Attachment **(Special Projects Department)**
- m) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas A&M Forest Service 2024 Community Forestry Grant Program. Attachment **(Special Projects Department)**
- n) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Health and Human Services – Zoonosis Control

Animal-Friendly Spay and Neuter Grant Program for cats and dogs. Attachment (**Special Projects Department**)

- o) Consideration and possible action to approve a resolution authorizing the City Manager to accept a grant award from the U.S. Department of Justice - FY24 Edward Byrne Memorial Justice Assistance Grant. Attachment (**Special Projects Department**)
- p) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Commission on Environmental Quality – Governmental Alternative Fuel Fleet Grant Program. Attachment (**Special Projects Department**)
- q) Consideration and possible action to approve a request to close the following streets for the 2025 Jackson Street Market Days to be held the first Saturday of each month from 9:00 a.m. to 3:00 p.m. Attachment (**Police**).

Northside Intersection of Van Buren Avenue / West Street
Alleyway at the 100 Block of South West Street.

Eastside Intersection of Jackson Avenue / "C" Street

Southside Intersection of Commerce Street / Monroe Avenue

Place DETOUR sign at Commerce Street / Monroe Avenue to send traffic eastbound onto Monroe Avenue.

Southside Intersection of "B" Street / Monroe Avenue.

Southside and Northside Intersections of the 100 Block of North and South Commerce Streets and the alleyway.

Northside intersection of Commerce Street / Van Buren Avenue.

Place DETOUR sign at Commerce Street / Van Buren Avenue to send traffic eastbound onto Van Buren Avenue.

North and South side Intersections of Jackson Avenue and "A" street, 1st, 2nd, and 3rd Streets

Westside Intersection of Jackson Avenue / 4th Street.

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

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

- r) Consideration and possible action to approve a request from the Harlingen Marathon Events Committee to close the following streets/intersections mentioned in Exhibit "A," Sunday, February 9, 2025 from 6:30 a.m. to 2:00 p.m. for the Marathon Event. Attachment (**Police**)
- 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 at a future meeting 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
- 9) **Public Hearings:** At this time, the Mayor will invite members of the public who have filled out the Public Hearing and the Citizen Communication Form to address each item listed in this section. Please limit your comments to the topic of that public hearing. If more than one public hearing is being held, you will be allowed to speak during each topic, provided you have filled out the Public Hearing and Citizen Communication Form for the appropriate topic. If you are signed up for two (2) or more Public Hearings, you will be limited to 5 minutes for all topics.

- a) Public hearing for a rezoning request from Not-Designated ("N") District to General Retail ("GR") District for a 2.273-acre tract of land out of the extreme northwest corner of Block 176, Adams Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive. Applicant: AEC Engineering c/o LS Contractors Specialist, Inc. Attachment **(Planning & Development)**
 - b) Public hearing for a rezoning request from Light Industry ("LI") District to Planned Development ("PD") District to allow 32 ft. wide streets with 50 ft. right-of-way and smaller lot sizes for a 393-lot single family development on a property bearing a legal description for a 73.69 acre tract of land, more or less, out of and forming a part of Blocks 28, 36 and 37, Palmetal Subdivision, located along the south side of Grimes Avenue approximately 6,500 feet east of Loop 499. Applicant: Francisco Arriaga, c/o Solid Development Inc. Attachment **(Planning & Development)**
 - c) Public hearing for the voluntary annexation of a 479.25-acre tract of land out of Survey 279, and all the existing right-of-way from the three county roads adjacent to the subject property also known as Bob Youker Street from Rio Hondo Road to Woodall Avenue, Woodall Avenue from Bob Youker Street west 764.44 feet and the unnamed County right-of-way along the east side of the subject property, located along the north side of Rio Hondo Road approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen. 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 a rezoning request from Not-Designated ("N") District to General Retail ("GR") District for a 2.273-acre tract of land out of the extreme northwest corner of Block 176, Adams Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive. Applicant: AEC Engineering c/o LS Contractors Specialist, Inc. Attachment **(Planning & Development)**
- b) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Light Industry ("LI") District to Planned Development ("PD") District to allow 32 ft. wide streets with 50 ft. right-of-way and smaller lot sizes for a 393-lot single family development on a property bearing a legal description for a 73.69 acre tract of land, more or less, out of and forming a part of Blocks 28, 36 and 37, Palmetal Subdivision, located along the south side of Grimes Avenue approximately 6,500 feet east of Loop 499. Applicant: Francisco Arriaga, c/o Solid Development Inc. Attachment **(Planning & Development)**
- c) Consideration and possible action to adopt an ordinance on first reading for the voluntary annexation of a 479.25-acre tract of land out of Survey 279, and all the existing right-of-way from the three county roads adjacent to the subject property also known as Bob Youker Street from Rio Hondo Road to Woodall Avenue, Woodall Avenue from Bob Youker Street west 764.44 feet and the unnamed County right-of-way along the east side of the subject property, located along the north side of Rio Hondo Road approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen. Attachment **(Planning & Development)**
- d) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a Light Industry ("LI") District located at 1335 Memphis Street, bearing a legal description of the East 6.604 acres out of Block 3, Paul Hill Subdivision. Applicant: Ravenvolt, Inc. Attachment. **(Planning & Development)** *(This item was tabled during the December 18, 2024 meeting).*

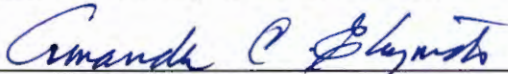
- e) Consideration and possible action to authorize the city manager to submit a letter to the Cameron County Judge to request authorization to annex Chester Park Road from the intersection of Palm Court Drive to approximately 220 feet north of the US Expressway 83 frontage road. Applicant: City of Harlingen. Attachment (**Planning & Development**)
 - f) Consideration and possible action to authorize the Public Works Director to purchase a 2025 Ford F150 XL Super Cab vehicle for \$36,823.00, to replace Unit No. 328, a Public Buildings Unit deemed to be a total loss. Attachment (**Public Works**)
 - g) Consideration and possible action to approve an extension on the contract between the City of Harlingen and Dr. Robert Kellogg, DVM to continue providing services to the Harlingen Animal Shelter. Attachment (**Health Dept.**)
 - h) Consideration and possible action to accept or deny a donation offered by the Lt. Thomas Barlow Chapter National Society Daughters of the American Revolution for two (2) 30-gallon sized native trees to be planted at Pendleton Park Veterans Memorial. Attachment (**Parks & Recreation**)
 - i) Consideration and possible action to approve a three-year Lease Agreement with RGV Pro Soccer Project Organization for the Use of the field and facilities at the Harlingen Field. Attachment (**Parks & Recreation**)
 - j) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Parks and Wildlife Recreational Trails Program. Attachment (**Special Projects Department**)
 - k) Consideration and possible action to approve a resolution authorizing the City Manager to submit a planning grant application to the Rio Grande Valley Metropolitan Planning Organization FY 2025 – 2027 Transportation Alternatives Set-Aside (TASA) Grant Program. Attachment (**Special Projects Department**)
 - l) Consideration and possible action to approve a resolution authorizing the City Manager to submit a construction grant application to the Rio Grande Valley Metropolitan Planning Organization FY 2025 – 2027 Transportation Alternatives Set-Aside (TASA) Grant Program. Attachment (**Special Projects Department**)
 - m) Consideration and possible action to authorize the City Manager to submit the participation form to enter into the Kroger Opioid Settlement. Attachment (**City Manager**)
 - n) Discussion and possible action to appoint a Chief of Police Review Committee for the position of Chief of Police for the City of Harlingen. (**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
Audit Committee (Terms expire in June)
Charter Review Committee (Ad Hoc)
Civil Service Commission
Community Development Advisory Board (1)
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement Board
Golf Course Advisory Board
Harlingen Community Improvement Board

Harlingen Housing Authority Board
Harlingen Finance Corporation (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 (1)
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Small Business Committee
Tax Increment Finance Board
Utility Board of Trustees (1)
Veterans Advisory Board
Zoning Board of Adjustment (2)

- 12) **Executive Session:** *All items listed in this section will be deliberated in a closed session. Members of the public are not generally permitted to attend a closed session. Executive Session items may be considered as an action item at the discretion of the Mayor. However, City Commission will not take any action in closed session.*
- a) Consultation with legal counsel pursuant to Texas Government Code 551.071 (1-A) to seek advice about reasonably contemplated litigation. **(City Attorney)**
 - b) Consultation with legal counsel pursuant to Texas Government Code 551.071 (1-A) to seek advice reasonably contemplated litigation. **(City Attorney)**
- 13) **Action on Executive Session Items:** The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.
- a) Consideration and possible action on items 12 (a) and (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, JANUARY 10, 2025** at or before 4:15 a.m./p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 10th day of JANUARY, 2025


Amanda C. Elizondo, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

A Regular Meeting of the Harlingen City Commission was held November 20, 2024, at 5:30 pm, 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 – Mayor Pro-Tem Rene Perez
- b) Pledge of Allegiance – Mayor Norma Sepulveda
- c) Welcome Citizens – Mayor Sepulveda welcomed everyone in attendance.

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. None declared!

3. Announcements:

a) Mayor's Announcements:

- . Mayor Sepulveda reminded everyone of the Run-off Elections; Early Voting would be conducted starting December 2 through the 10th, 2024, at the following locations: City Hall, Harlingen Convention Center, and the Cultural Arts Center. Election Day will be on December 14, 2024, at the following locations: District 3, UTRGV Clinical Education Bldg., District 4, Bowie Elementary and District 5, Harlingen Convention Center, and Stuart Place Elementary School.

b) City Manager's Announcements:

- . Mr. Garbriel Gonzalez stated that a Ribbon Cutting Ceremony is scheduled for Friday, November 22, 2024, at Tony Butler Golf Course at 5:00 pm. Saturday, November 23, 2024, the Inaugural Tournament will be held at 8:00 am. The participation slots are sold out; however, the public is invited to come and watch the players. December 4, 2024, City Commission Meeting will be held at the

Harlingen Culture Arts Museum due to Early Voting taking place at the City Hall. City Hall will be closed on November 28 and 29, 2024, due to the Thanksgiving Holiday.

Oscar Garcia, Assistant City Manager for External Services, stated that Public Works participated in the American Public Works Association Rodeo at the Bass Pro Shop this past weekend.

Christopher Torres, Public Works Director, stated that Vicente Rodriguez, Drainage Manager, competed in the Annual Equipment Rodeo. The local branch includes local municipalities from Roma to South Padre Island. He received the Grand Champion award last year and again this year. Mr. Rodriguez will solicit a sponsor to compete at a state competition in College Station, Texas, in February 2025.

c) **City Commission Member Announcements:**

- Commissioner Kinsley reminded everyone that next week was Thanksgiving and wished everyone a happy Thanksgiving Day. Veterans Day Parade was recently held at the Marine Military Academy, and in attendance was a 99-year-old D-Day Survivor (Army), and I could speak to him. He mentioned it was an honor to defend his country in a battle that will be discussed for many years to come. Next week, we should all thank the freedom veterans like him fought for and that we take for granted and enjoy every day in this country.
- Commissioner Lopez wished everyone a Happy Thanksgiving but reminded everyone to tune into the game for the Texas Longhorns against the Texas A&M Aggies at the Texas Lonestar Showdown on November 30, 2024, at 6:30 pm.

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

a) **Harlingen Animal Shelter – “Pet of the Week”**

Shannon Harvill, Health Director, introduced "Miss Bridget" a year-old, female lab-mix, who is vaccinated and after adoption, would be spayed. She is friendly, likes kids, and likes to play outside. We recently had an adoption event at PetSmart with three adoptions; at Tractor Supply, we had two adoptions. A microchip clinic is scheduled for Saturday, November 23, 2024, from 8:00 am. until noon, and invited anyone interested in getting their pets microchipped to come by.

b) **Mayor's Business of the Month – “Pepe's Mexican Restaurant”**

Joe Ayala, Owner/Manager – Thanked the City Commission for the recognition and this honor for their restaurant. He is happy to continue to serve the community and grateful for his hardworking and loyal staff for over 25 years.

c) **Recognition Award – “Pooches Corner – 15-Year Celebration”**

Michelle Franco-Mar, Owner, we are truly honored to accept this recognition and acknowledge our contribution to serving the residents and pets of Harlingen. We accept this honor on behalf of our amazing staff/team and our loyal customers. We also appreciate the supportive environment that the City of Harlingen fosters for small businesses like ours to grow and thrive.

d) **Proclamation – Children's Bereavement Center Rio Grande Valley**

Ana Del Toro, Counselor, thanked the city commission for this significant proclamation and for recognizing the importance of supporting children who are grieving. You are giving a voice to these young ones and the importance of their healing journey. This message of compassion, resilience, and a community will build a foundation to uplift us all. We will be having a vigil tomorrow at 6:30 pm at 2302 S. 77 Sunshine Strip, Suite 202, 2nd Floor. If there is anyone interested in joining us, we will be there. We are looking for anyone interested in volunteering.

5. **Citizen Communication:**

- Ron Lozano- 2410 Riverside Dr., Harlingen, TX – Transparency.

6. **Approval of Minutes:**

a) Regular Meeting of October 2, 2024

Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to approve the Minutes of October 2, 2024. Motion carried unanimously.

7. **Consent Agenda:**

- a) Consideration and possible action to approve a resolution and authorize the City Manager to accept a grant funding award (revised amount) and ultimately expend said funding of \$70,000.00 from the Office of the Governor – Homeland Security Grants Division in regard to the FY 25 Local Border Security Grants Program (LBSP) which will be used for funding overtime costs for providing additional manpower to the City of Harlingen to enhance and improve border security.
- b) Consideration and possible action to approve a request from Sylvia Gamboa, Director of Guidance and Counseling for the Harlingen Consolidated Independent School District, to close the following streets: Fair Park Boulevard between North "L" Street and North "J" Street (no thru traffic to include all entries and exits from Harlingen Performing Arts and Casa de Amistad Parking Lots) for their Middle School Expo at Casa De Amistad, Thursday, November 21, 2024, from 9:00 am to 2:00 pm.
- c) Consideration and possible action to approve a request from the Downtown Improvement District to close the following streets on Friday, December 6, 2024, from 4:30 pm to 9:30 pm for the Annual Christmas Parade.
- North alleyway intersections of Jackson Street at:
 - "F", "E", "D", "B," and "A" Streets, 1st, 2nd, 3rd, 4th, and 5th Streets
 - South alleyway intersections of Jackson Street at:
 - "D" and "C" Streets; West Street and "A" Street; 1st, 2nd, 3rd, 4th, and 5th Streets
 - Street intersections at:
 - "G"/Jackson Street; "F"/Van Buren Avenue; "E"/Van Buren Avenue; Commerce/Van Buren Avenue; "A"/Van Buren Avenue; Commerce/Monroe Avenue; "B"/Monroe Avenue; and
 - 6th /Jackson Streets
- d) Consideration and possible action to approve a request from St. Paul Lutheran Church to close the intersections of Washington Avenue/Citrus Terrace and Washington Avenue/Morgan Boulevard, Saturday, December 14, 2024, and Sunday, December 15, 2024, from 4:00 pm to 8:30 pm for their Annual Nativity Nights Event.
- e) Consideration and possible action to approve a request from Sylvia Gamboa, Director of Guidance and Counseling for Harlingen Consolidated School District, to close the following streets: Fair Park Boulevard between North "L" and "J" Streets (no thru traffic to include all entries and exits from Harlingen Performing Arts and Casa De Amistad Parking Lots) for their Elementary Expo, Thursday, January 30, 2025, from 9:00 am to 2:00 pm at Casa de Amistad.
- f) Consideration and possible action to approve an ordinance on the 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 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.

ORDINANCE NO. 24 -74

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 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.

PASSED AND APPROVED on first reading this the 6th day of November 2024

PASSED AND APPROVED on the second and final reading this the 20th day of November 2024.

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

CITY OF HARLINGEN
/s/Norma Sepulveda, Mayor

- g) Consideration and possible action to adopt an ordinance on the second and final 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.

ORDINANCE NO. 24-75

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.

PASSED AND APPROVED on first reading this the 6th day of November 2024
PASSED AND APPROVED on the second and final reading this the 20th day of November 2024.

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

CITY OF HARLINGEN
/s/Norma Sepulveda, Mayor

- h) Consideration and possible action to adopt an ordinance on the second and final 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. Applicant: Tim Ilaoa c/o 7-Eleven Inc.

ORDINANCE NO. 24 -76

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 FORGOING.

PASSED AND APPROVED on first reading this the 6th day of November 2024
PASSED AND APPROVED on the second and final reading this the 20th day of November 2024.

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

CITY OF HARLINGEN
/s/Norma Sepulveda, Mayor

- i) Consideration and possible action approving a resolution authorizing the City Manager to submit one or multiple grant applications to the Texas General Land Office under the Disaster Recovery Reallocation Program and dealing with related matters.

Commissioner Lopez stated that a change needs to be made on one of the projects listed as Number 3 on Exhibit A (North Main Drain).

Rolando Vela, District Manager for Cameron County Drainage District No. 5, thanked the city commission and the City of Harlingen for applying for the \$2 million dollar grant and allowing us to partner on this project. Only cities and counties can apply for this type of funding. The project involves a major restriction on Business 77 and the railroad tracks. During the 2019 flood, there was a major problem on both sides of the railroad tracks. We are proposing to bore (5) 7-foot steel pipes underneath Business 77 and the railroad tracks. This major traffic artery involves not only Harlingen but also Combes and Primera. We don't want to impede the movement of stormwater; it needs to move away freely and quickly.

Motion was made by Commissioner Lopez and seconded by Commissioner Mezmar to approve the resolution authorizing the City Manager to submit one or multiple grant applications to the Texas

General Land Office under the Disaster Recovery Reallocation Program and dealing with related matters, subject to the changes specified. Motion carried unanimously.

- j) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the U.S. Environmental Protection Agency under the Environmental and Climate Justice Community Change Grants Program and dealing with related matters.

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

Motion was made by Commissioner Morales and seconded by Commissioner Kinsley to approve Item 7 (b). Motion carried unanimously.

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

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to approve Item 7 (e). Motion carried unanimously.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Lopez to approve consent agenda Item 7 (a through c, d, f through h and j). Motion carried unanimously.

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

a) City Manager's Report - None

b) Staff Reports - None

9. **Public Hearings:**

Mayor Sepulveda announced Items 9 (a thru g) were public hearings, and anyone wishing to speak for or against these items may do so.

- a) 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") for an existing Stripes/ 7-Eleven located at 3201 E. Harrison Avenue, bearing a legal description of Lot 1, El Rancho Mini Mart #856 Subdivision. Applicant: Tim Ilaoa c/o 7 Eleven Inc.

Item 9 (a) - None.

- b) Public hearing for a Special Use Permit (SUP) to allow a storage container in a Light Industry ("LI") District located at 110 Bass Pro Drive, bearing a legal description of Lot 1, Block 1, Cameron Crossing Subdivision Phase IV. Applicant: Lori Beth Browning c/o Cracker Barrel.

Item 9 (b) - None.

- c) Public hearing for a rezoning request from a Residential, Single-Family ("R-1") District to a Residential, Multi-Family ("M2") District for a property located at 402 W. Taylor Avenue, bearing a legal description of Lot 7, Block 107, Harlingen Original Townsite Subdivision. Applicant: Greg Mar.

Item 9 (c) - Greg Mar, Applicant, stated there was a misunderstanding regarding the request for the rezone. They only propose installing an extra electrical meter to the current duplex. There will be no new construction.

- d) Public hearing to amend the previously-approved Planned Development ("PD") Site Plan to adjust for duplexes with one unit on each lot with a four (4) foot side setback and the option of a garage or no garage for Lots 26-29, and single-family residential lots with four (4) foot side setback and the option for a garage or no garage for Lots 25, 30 and 43-61, Camelot Retirement Community No. 5 Subdivision, located on Guinevere Drive and Lancelot Drive approximately 235 feet east of Camelot Drive. Applicant: Project Management Consulting, c/o A & R Development Construction, LLC.

Item 9 (d) - None.

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

Item 9 (e) - None.

- f) Public hearing for the voluntary annexation of a 2.273-acre tract of land out of the extreme Northwest corner of Block 176, Adam's Gardens Subdivision "C," located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive, including all of the existing right-of-way along Bass Boulevard (FM 800), from the intersection with Palis Drive to the intersection with Hick Hill Road. Applicant: LS Contractor Specialist, Inc. c/o AEC Engineering, LLC.

Item 9 (f) - None.

- g) Public hearing amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XII, Special Use Regulations and Restrictions, to establish Section 111-336, Car Wash Establishments, by establishing a 2-mile radius and distance requirement, ensuring no new car wash business be established within a 2-mile radius of an existing car wash due to drought conditions. Applicant: City of Harlingen.

Item 9 (g) - None.

There being no further comments from the public, except for Item (9-c), Mayor Sepulveda closed the public hearings.

10. **Action Items: Ordinances:**

- a) 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") for an existing Stripes / 7-Eleven located at 3201 E. Harrison Avenue, bearing a legal description of Lot 1, El Rancho Mini Mart #856 Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc.

Motion was made by Commissioner Kinsley and seconded by Commissioner Morales 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") for an existing Stripes / 7-Eleven located at 3201 E. Harrison Avenue, bearing a legal description of Lot 1, El Rancho Mini Mart #856 Subdivision. Motion carried unanimously.

- b) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) to allow a storage container in a Light Industry ("LI") District located at 110 Bass Pro Drive, bearing a legal description of Lot 1, Block 1, Cameron Crossing Subdivision Phase IV. Applicant: Lori Beth Browning c/o Craker Barrel.

Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to adopt an ordinance on first reading for a Special Use Permit (SUP) to allow a storage container in a Light Industry ("LI") District located at 110 Bass Pro Drive, bearing a legal description of Lot 1, Block 1, Cameron Crossing Subdivision Phase IV. Motion carried unanimously.

- c) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from a Residential, Single-Family ("R-1") District to a Residential, Multi-Family ("M2") District for a property located at 402 W. Taylor Avenue, bearing a legal description of Lot 7, Block 107, Harlingen Original Townsite Subdivision. Applicant: Greg Mar.

Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to adopt an ordinance on first reading for a rezoning request from a Residential, Single-Family ("R-1") District to a Residential, Multi-Family ("M2") District for a property located at 402 W. Taylor Avenue, bearing a legal description of Lot 7, Block 107, Harlingen Original Townsite Subdivision. Motion carried unanimously.

- d) Consideration and possible action to adopt an ordinance on first reading to amend the previously-approved Planning Development ("PD") Site Plan to adjust for duplexes with one unit on each lot with a four (4) foot side setback and the option of a garage or no garage for Lots 26-29, and single-family residential lots with four (4) foot side setback and the option for a garage or no garage for Lots 25, 30 and 43-61, Camelot Retirement Community No. 5 Subdivision, located on Guinevere Drive and Lancelot Drive approximately 235 feet east of Camelot Drive. Applicant: Project Management Consulting, c/o A&R Development Construction, LLC.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to adopt an ordinance on first reading to amend the previously-approved Planning Development ("PD") Site Plan to adjust for duplexes with one unit on each lot with a four (4) foot side setback and the option of a garage or no garage for Lots 26-29, and single-family residential lots with four (4) foot side setback and the option for a garage or no garage for Lots 25, 30 and 43-61, Camelot Retirement Community No. 5 Subdivision, located on Guinevere Drive and Lancelot Drive approximately 235 feet east of Camelot Drive. Motion carried unanimously.

- e) Consideration and possible action to adopt an ordinance on the second and final 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.

ORDINANCE NO. 24 - 77

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.

PASSED AND APPROVED on first reading this the 6th day of November 2024
PASSED AND APPROVED on the second and final reading this the 20th day of November 2024.

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

CITY OF HARLINGEN
/s/Norma Sepulveda, Mayor

Motion was made by Commissioner Mezmar and seconded by Commissioner Lopez to adopt an ordinance on second and final 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. Motion carried unanimously.

- f) Consideration and possible action to adopt an ordinance on first reading for the voluntary annexation of a 2.273-acre tract of land out of the extreme Northwest corner of Block 176, Adam's Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive including all of the existing right-of-way along Bass Boulevard (FM 800), from the intersection with Palis Drive to the intersection with Hick Hill Road. Applicant: LS Contractor Specialist, Inc. c/o AEC Engineering, LLC.

Motion was made by Commissioner Kinsley and seconded by Commissioner Mezmar to adopt an ordinance on first reading for the voluntary annexation of a 2.273-acre tract of land out of the extreme Northwest corner of Block 176, Adam's Gardens Subdivision "C," located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive including all of the existing right-of-way along Bass Boulevard (FM 800), from the intersection with Palis Drive to the intersection with Hick Hill Road. Motion carried unanimously.

- g) Consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XII, Special Use Regulations and Restrictions, to establish Section 111-336, Car Wash Establishments, by establishing a 2-mile radius and distance requirement, ensuring no new car wash business be established within a 2-mile radius of an existing car wash due to drought conditions. Applicant: City of Harlingen.

Xavier Cervantes, Planning and Zoning Director stated that this Item is modeled after the Edinburg ordinance that was presented a month ago. There will be areas in the city where it will still be allowed subject to commercial zoning on the west side of the city, along Expressway 83, FM 509, and industrial areas by the airport. Currently, both reservoirs are at 20% capacity. On October 17, it was 20.27%; on November 5, it was 20.06%; on November 19, it was 20.01%. The levels are going down slowly. In speaking with the Irrigation District Manager, he stated that the drought is dire for agriculture, but water conservation efforts are greatly appreciated.

The Cities of Alamo, Edinburg, Brownsville, and McAllen have taken the initiative and placed restrictions on car wash businesses in their cities. Blue Wave Carwash uses 11 million gallons of water daily. Water consumption (totals) by other carwash businesses would need to be obtained from the Harlingen Waterworks System. Water conservation should be the main focus of any new business that consumes a high volume of water.

A short discussion was held about cooperating with the EDC to motivate new businesses to go green, a desalination project, and partnering with neighboring cities to split costs or look into a less expensive measure, such as digging water wells.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Morales to adopt the ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XII, Special Use Regulations and Restrictions, to establish Section 111-336, Car Wash Establishments, by establishing a 2-mile radius and distance requirement, ensuring no new car wash business be established within a 2-mile radius of an existing car wash due to drought conditions. Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners: Kinsley, Lopez, Morales; AGAINST: Commissioner Mezmar; ABSTAINED: None (Vote: 4-1-0).

- h) Consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances, Chapter 103, Buildings and Building Regulations, Article 1, In General, to establish Section 103-6, Affordable Housing Waiver Program, authorizing the waiver of city building permit fees to promote affordable housing. Applicant: City of Harlingen.

Commissioner Lopez asked about the new developments and the burden of the sewage system in handling the latest developments in that area.

Mr. Cervantes stated that Harlingen Waterworks System will proactively update the drainage system and add a lift station. By the time these projects are completed, the updated/expanded system will be in place to accommodate the new drainage systems from the new developments.

Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances, Chapter 103, Buildings and Building Regulations, Article 1, in general, to establish Section 103-6, Affordable Housing Waiver Program, authorizing the waiver of city building permit fees to promote affordable housing. Motion carried unanimously.

- i) Consideration and possible action to approve an ordinance on first reading, amending Ordinance No. 2010-37 to ensure full compliance with Chapter 2303 of the Texas Government Code. (***This Item was passed at the Regular City Commission Meeting of November 6, 2024.***)

The City Commission passed Item 10 (i) for further review, but no action was taken.

- j) Consideration and possible action to approve a contract between the City of Harlingen and Dr. Shelly Mitchell, DVM, to provide vaccine administration and observation services to the Harlingen Animal Shelter as needed for Fiscal Year 2025.

Commissioner Mezmar asked about the veterinarian and where they were from.

Shannon Harvill, Health Director, responded that this is an additional veterinarian willing to help with evaluations and vaccinations. Dr. Shelly Mitchell owns the Arroyo Veterinary Hospital located on Business 77 and currently does the spay and neutering services for the shelter.

Commissioner Mezmar asked about the fees for vaccination administration and whether they would include distemper or parvo vaccines.

Ms. Harvill stated that the fee for each animal would be \$2.50 for a rabies vaccination and \$10 if an evaluation is done on an animal. Parvo and Distemper Vaccines can be administered by city staff. The state mandates that rabies vaccinations be administered by a licensed veterinarian or to be present as it is being done by staff.

Motion was made by Commissioner Kinsley and seconded by Commissioner Lopez to approve the contract between the City of Harlingen and Dr. Shelly Mitchell, DVM, to provide vaccine administration and observation services to the Harlingen Animal Shelter as needed for Fiscal Year 2025. Motion carried unanimously.

k) Consideration and possible action to adopt the bylaws for the Friends of Harlingen Animal Shelter, Inc.

Mark Sossi, City Attorney, stated that you set preliminary bylaws that would govern the operation of a non-profit entity. The city commission would vote to approve an initial set of bylaws and initially appoint a board of directors. The articles of incorporation were approved and filed. The entity exists; the next step is to approve a set of bylaws.

Commissioner Mezmar stated that there is an existing Animal Shelter Advisory Committee. What is the difference between them? Will this new entity be a 501c(3)?

Mr. Sossi responded that the Animal Shelter Advisory Committee is a statutory creation to ensure the Animal Shelter operates in compliance with specific state laws. The proposed Friends of Harlingen Animal Shelter, Inc. is a non-profit corporation that assists with funding opportunities and would be a 501c-(3) committee.

Commissioner Morales asked about the original bylaws, Article III, 3.1- Board Compensation; how would that work?

Mr. Sossi replied that there was no compensation. If a board member had a reimbursable expense, as per city policy, there would be a reimbursement procedure. There is no compensation to be paid to any director or officer of the corporation.

Commissioner Morales referred to Article VI – Miscellaneous, 6.1 Fiscal Year and stated the term date should be from October 1 to September 30 instead of September 31.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to adopt the bylaws for the Friends of Harlingen Animal Shelter, Inc; subject to legal clarification. Motion carried unanimously.

l) Consideration and possible action to appoint Directors to the Friends of Harlingen Animal Shelter, Inc.

Commissioner Kinsley appointed Jody Striker, Commissioner Lopez appointed Shannon Harvill, and Mayor Pro-Tem Perez appointed Jessica Garcia.

Motion was made by Commissioner Kinsley and seconded by Commissioner Lopez to approve the appointments of Jody Striker, Shannon Harvill and Jessica Garcia to the Friends of Harlingen Animal Shelter. Motion carried unanimously.

11. **Board Appointments:**

Commissioner Lopez re-appointed Shannon Harvill to the Animal Shelter Advisory Board.

Commissioner Kinsley appointed Julio Guerra to the Museum Advisory Board.
Mayor Sepulveda appointed Wayne Lowry to the Utility Board of Trustees.
Commissioner Mezmar re-appointed Tracy Gonzalez to the Library Advisory Board.

Mayor Sepulveda stated she would be appointing a shelter manager for the Animal Shelter Advisory Board at a later date.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Lopez to approve the appointments/re-appointments of Shannon Harvill to the Animal Shelter Advisory Board, Julio Guerra to the Museum Advisory Board, Wayne Lowry to the Utility Board of Trustees, re-appointment of Tracy Gonzalez to Library Advisory Board. Motion carried unanimously.

12. **Executive Session:**

- a) Consultation with legal counsel regarding reasonably contemplated litigation pursuant to Texas Gov't Code 551.071 (1) (a).

At 6:50 pm, Mayor Sepulveda announced that the City Commission would convene in an Executive Session to discuss Item 12 (a).

Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to go into executive session. Motion carried unanimously.

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

At 7:44 pm, Mayor Sepulveda announced that the City Commission had completed its 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 the executive session regarding Item 12 (a). 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

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

A Regular Meeting of the Harlingen City Commission was held December 4, 2024, at 5:30 p.m., at Harlingen Arts & Heritage Museum, 2425 Boxwood St, 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 and announced that a quorum had been established and that notice of the meeting had been duly posted according to state law. The following proceedings were held:

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

2. Conflict of Interest:

"Under State Law, a conflict of interest exists if a 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 Lopez abstained from Item 10 (e).

3. Announcements:

Mayor's Announcements:

Mayor Sepulveda reminded everyone of the Lighting of the Arroyo Event scheduled for December 12, 2024, 6:00 p.m.; Christmas Parade, December 6, 2024, at 6:00 p.m.; Convention Center Lighting of the Christmas Tree, December 13, 2024) at 6 p.m. to 8:30 p.m. A Ribbon-Cutting Ceremony was held at the Tony Butler Golf Course on November 22, 2024, and the Golf Tournament was held on November 23, 2024, and it was a great success.

1 a) **City Manager's Announcements:**

2
3 Gabriel Gonzalez, City Manager, stated there were changes regarding the parking for the Lighting of the
4 Arroyo due to the recent rain. The grounds in the park can be used, but the public will have to use the area
5 along the front of the old Valley Morning Star.
6

7 b) **City Commission Member Announcements:**

- 8 . **Commissioner Kinsley** reminded everyone that early voting is underway and encouraged all citizens
9 residing in Districts 3, 4, and 5 to go out and vote.
10
11 . **Commissioner Morales** stated that Early Voting starts on Monday, December 2, through Friday,
12 December 6, from 9:00 a.m. – 7:00 p.m.; Saturday, December 7, from 10 a.m. – 5:00 p.m. Sunday,
13 December 8, the polls would be closed. The voting would resume on Monday, December 9, and Tuesday,
14 December 10, from 9:00 a.m. to 7:00 p.m.
15
16 . **Mayor Pro-Tem Perez** referred to the Runoff Election and stated that the vote number is lower. On
17 Tuesday, December 3, 2024, only 270 people cast their votes. The votes cast in the November Election
18 do not carry over. Another election is the Runoff Election for Districts 3, 4, and 5. The citizens' votes are
19 their voices. The future of Harlingen is decided by the citizens' decisions and their votes.
20

21 4. **Proclamation/Presentation of Awards:**

22
23 a) **Harlingen Animal Shelter- "Pet of the Week":**

24 Shannon Harvill, Health Director, introduced Mr. "Cinnamon," a 3-month-old male, a beagle mix, will be
25 vaccinated and is looking for a home. Staff will attend the Market Days on Saturday, December 7, 2024,
26 and at Pet-Co in Weslaco, hoping that some animals will be adopted. The previous Pet of the Week,
27 "Bridget," was adopted.
28

29 b) **Proclamation – Dick Office Supply – Over 45 Years of Service to the Community:**

30
31 Calista Reyes, with the Social Media Dept., introduced Ms. Wendy Dick, representative of Dick Office
32 Supply. She thanked the community of Harlingen for the 45 years of customer support, which made their
33 business last for 45 years. Ms. Dick thanked their loyal, hard-working staff and the city commission for the
34 kind words of recognition.
35

36 5. **Citizen Communication:**

- 37
38 . Raymond Reyes – 706 Nantucket Dr., Harlingen, TX – Responsibility and accountability.
39 . Ron Lozano – 2419 Riverside Dr., Harlingen, TX – Ethics / Taxes
40

41 6. **Approval of Minutes:**

42
43 a) **Regular Meeting of October 21, 2024**

44
45 Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to approve the
46 Regular Meeting Minutes of October 21, 2024; subject to minor revisions (appointment of Julio Guerra to
47 Museum Advisory Board). Motion carried unanimously.
48

49 7. **Consent Agenda:**

- 50
51 a) **Consideration and possible action to adopt an ordinance on the second and final reading amending the**
52 **City of Harlingen Code of Ordinances, Chapter 103, Buildings and Building Regulations, Article 1, In**
53 **General, to establish Section 103-6, Affordable Housing Waiver Program, authorizing the waiver of city**
54 **building permit fees to promote affordable housing. Applicant: City of Harlingen.**
55
56
57

ORDINANCE NO. 24-78

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES, CHAPTER 103, BUILDINGS AND BUILDING REGULATIONS, ARTICLE 1, IN GENERAL, TO ESTABLISH SECTION 103-6, AFFORDABLE HOUSING PERMIT WAIVER PROGRAM, AUTHORIZING THE WAIVER OF CITY BUILDING PERMIT FEES TO PROMOTE AFFORDABLE HOUSING; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 20th day of November 2024
PASSED AND APPROVED on the second and final reading this the 4th day of December 2024.

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

- b) Consideration and possible action to adopt an ordinance on the second and final reading for a rezoning request from a Residential, Single-Family ("R-1") District to a Residential, Multi-Family ("M2") District for a property located at 402 W. Taylor Avenue, bearing a legal description of Lot 7, Block 107, Harlingen Original Townsite Subdivision. Applicant: Greg Mar.

ORDINANCE NO. 24-79

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT TO RESIDENTIAL, MULTI-FAMILY ("M2") DISTRICT FOR A PROPERTY LOCATED AT 402 W. TAYLOR AVENUE, BEARING A LEGAL DESCRIPTION OF LOT 7, BLOCK 107, HARLINGEN ORIGINAL TOWNSITE SUBDIVISION. APPLICANT: GREG MAR.

PASSED AND APPROVED on first reading this the 20th day of November 2024
PASSED AND APPROVED on the second and final reading this the 4th day of December 2024.

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

- c) Consideration and possible action to adopt an ordinance on the second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption in a General Retail District ("GR") for an existing Stripes/7-Eleven located at 3201 E. Harrison Avenue, bearing a legal description of Lot 1, El Rancho Mini Mart #856 Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc.

ORDINANCE NO. 24-80

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 FOR AN EXISTING STRIPES/7-ELEVEN LOCATED AT 3201 E. HARRISON AVENUE, BEARING A LEGAL DESCRIPTION OF LOT 1, EL RANCHO MINI MART #856 SUBDIVISION.

PASSED AND APPROVED on first reading this the 20th day of November 2024
PASSED AND APPROVED on the second and final reading this the 4th day of December 2024.

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

- d) Consideration and possible action to adopt an ordinance on the second and final reading to amend the previously-approved Planned Development ("PD") Site Plan to adjust for duplexes with one unit on each lot with a four (4) foot side setback and the option of a garage or no garage for Lots 26-29, and single-family residential lots with (4) foot side setback and the option for a garage or no garage for Lots 25, 30 and 43-61, Camelot Retirement Community No. 5 Subdivision, located on Guinevere Drive and Lancelot Drive approximately 235 feet east of Camelot Drive. Applicant: Project Management Consulting, c/o A & R Development Construction, LLC.

ORDINANCE NO. 24-81

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: AMENDING THE PLANNED DEVELOPMENT ("PD") SITE PLAN TO ADJUST FOR DUPLEXES WITH ONE UNIT ON EACH LOT, WITH FOUR

(4) FOOT SIDE SETBACK AND THE OPTION OF A GARAGE OR NO GARAGE FOR LOTS 26-29, AND SINGLE FAMILY LOTS WITH FOUR (4) FOOT WIDE SETBACK AND THE OPTION FOR A GARAGE OR NO GARAGE FOR LOTS 25, 30 AND 43-61 OF THE CAMELOT RETIREMENT COMMUNITY NO. 5 SUBDIVISION, LOCATED GUINEVERE AND LANCELOT DRIVES APPROXIMATELY 235 FEET EAST OF CAMELOT DRIVE; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 20th day of November 2024
PASSED AND APPROVED on the second and final reading this the 4th day of December 2024.

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

- e) Consideration and possible action to adopt an ordinance on the second and final reading for a Special Use Permit (SUP) to allow a storage container in a Light Industry ("LI") District located at 110 Bass Pro Drive, bearing a legal description of Lot 1, Block 1, Cameron Crossing Subdivision Phase IV. Applicant: Lori Beth Browning c/o Cracker Barrel.

ORDINANCE NO. 24-82

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO CRACKER BARREL TO ALLOW A STORAGE CONTAINER IN A LIGHT INDUSTRY ("LI") DISTRICT LOCATED AT 110 BASS PRO DRIVE, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 1, CAMERON CROSSING SUBDIVISION PHASE IV PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 20th day of November 2024
PASSED AND APPROVED on the second and final reading this the 4th day of December 2024.

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

- f) Consideration and possible action to approve a request from Lorraine Galarza to close the following streets on Saturday, December 14, 2024, from 5 p.m. to 8:30 p.m., for Vicky's Christmas Toy Giveaway Event.

- Southside Intersection of Findley Dr. and Orange Heights Dr. and Northside Intersection of Findley Dr. and Pitman Ave.

- g) Consideration and possible action to approve a request from Ester Cardenas to close the following streets, Tuesday, December 31, 2024, through Wednesday, January 1, 2025, from 4:00 p.m. – 2:00 a.m. for a Family Reunion Party.

- Northside Intersection of South "H" Street and Arthur Street; Southside Intersection of 1400 South "H" Street; and the Plains Capital Bank private exit drive.

- h) Consideration and possible action to authorize the Mayor to execute an Interlocal Agreement between the City of Harlingen and the Cities of Brownsville, McAllen, Pharr, and Donna to collaborate on mutual aid crime prevention of burglary and theft of motor vehicles for FY 25.

- i) Consideration and possible action to authorize Police Chief Michael Kester to use Federal Justice Forfeiture funds to purchase two (2) 2024 Chevy Malibu from Sames Motor Company for a total cost of \$49,600.00.

Motion was made by Commissioner Lopez and seconded by Commissioner Kinsley to approve Agenda Item 7 (a through i). Motion carried unanimously.

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

- a) City Manager's Report - Staff is proposing to schedule a meeting with the Texas Historical Commission for a presentation on the CLG Program for December 11, 2024, at 5:30 p.m., at the Harlingen Arts & Heritage Museum and a joint meeting with the Airport Board at 5:30 p.m. at the Airport Conference Room. He asked if these dates were good for them and if the staff would proceed with the postings of these two meetings.

b) Staff Reports – None.

c) Presentation by Jeff Hart (Golf Director) regarding renovations to Tony Butler Golf Course, Holes 1-18.

Jeff Hart, Golf Course Director, stated that the golf course is open but is not at the finish line with the renovations needed. The greens are still growing and will be very different by Spring. There are multiple tee areas based on the players' skill level. The seeding schedule was removed from April to June due to windy conditions. He illustrated the previous pump station and the new, state-of-the-art pump that can be accessed with an app on a phone or tablet that allows staff to set each sprinkler at a different rate as needed. A four-year leasing contract was made for the Yamaha cart effective November 11, 2024 – a 4-year contract at \$1,660 a month for 74 carts and range utility carts. The public was very pleased with the implemented Driving Range and mats. The Public Works Dept. assisted in replacing 500 linear feet of damaged cart paths due to being so close to the Arroyo, which caused the ground below the paths to shift and the cement to crack. Mr. Hart stated that a fountain was added to the pond at Hole 15 and bougainvillea shrubs to beautify and contrast the course. November 6, 2024, opening day of the Tournament - 40 teams, 120 players were present, \$15,800 in sales, a profit of \$8,756. He concluded by illustrating the (10-day) revenues of \$54,675.81 since opening.

9. Public Hearings:

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

a) Public hearing for the voluntary annexation of a 2.273-acre tract of land out of the extreme Northwest corner of Block 176, Adam's Gardens Subdivision "C," located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive, including all of the existing right-of-way along Bass Boulevard (FM 800), from the intersection with Palis Drive to the intersection with Hick Hill Road. Applicant: LS Contractor Specialist, Inc. c/o AEC Engineering, LLC.

The being no comments from the public, Mayor Sepulveda closed the public hearings.

10. Action Items: Ordinances

a) Consideration and possible action to adopt an ordinance on the second and final reading for the voluntary annexation of a 2.273-acre tract of land out of the extreme Northwest corner of Block 176, Adam's Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive including all of the existing right-of-way along Bass Boulevard (FM 800), from the intersection with Palis Drive to the intersection with Hick Hill Road. Applicant: LS Contractor Specialist, Inc. c/o AEC Engineering, LLC.

ORDINANCE NO. 24-84

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE, A 2.273-ACRE TRACT OF LAND OUT OF THE EXTREME NORTHWEST CORNER OF BLOCK 176, ADAM'S GARDENS SUBDIVISION "C", LOCATED AT THE SOUTHEAST CORNER OF BASS BOULEVARD (FM 800) AND PALIS DRIVE, INCLUDING ALL OF THE EXISTING RIGHT-OF-WAY ALONG BASS BOULEVARD (FM 800), FROM THE INTERSECTION WITH PALIS DRIVE TO THE INTERSECTION WITH HICK HILL 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 20th day of November 2024

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

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

Motion was made by Commissioner Kinsley and seconded by Commissioner Lopez to adopt the ordinance on the second and final reading for the voluntary annexation of a 2.273-acre tract of land out of the extreme Northwest corner of Block 176, Adam's Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive including all of the existing right-of-way along Bass

Boulevard (FM 800), from the intersection with Palis Drive to the intersection with Hick Hill Road. Motion carried unanimously.

- b) Consideration and possible action to adopt an ordinance on the second and final reading amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XII, Special Use Regulations and Restrictions, to establish Section 111-336, Car Wash Establishments, by establishing a 2-mile radius and distance requirement, ensuring no new car wash business be established within a 2-mile radius of an existing car wash due to drought conditions. Applicant: City of Harlingen.

ORDINANCE NO. 24-85

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 111, ZONING, ARTICLE XII, SPECIAL USE REGULATIONS AND RESTRICTIONS TO ESTABLISH SECTION 111-336 CAR WASH ESTABLISHMENTS, BY ESTABLISHING A 2-MILE RADIUS AND DISTANCE REQUIREMENT, ENSURING NO NEW CAR WASH BUSINESS BE ESTABLISHED WITHIN A 2-MILE RADIUS OF AN EXISTING CAR WASH, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 20th day of November 2024
PASSED AND APPROVED on the second and final reading this the 4th day of December 2024.

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

CITY OF HARLINGEN
/s/Norma Sepulveda, Mayor

Motion was made Commissioner Lopez and seconded by Mayor Pro-Tem Perez to adopt an ordinance on second and final reading amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XII, Special Use Regulations and Restrictions, to establish Section 111-336, Car Wash Establishments, by establishing a 2-mile radius and distance requirement, ensuring no new car wash business be established within a 2-mile radius of an existing car wash due to drought conditions. Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners: Lopez, Kinsley; AGAINST: Commissioner Mezmar, Morales; ABSTAINED: None (Vote 3-2-1) – Subject to legal revisions.

- c) Consideration and possible action to approve the Harlingen Animal Shelter Facility to close an additional day (Mondays) to the public to allow the continued effort of disinfecting the shelter to prevent the spread of more diseases and give efficient time to the Rescues and Foster Homes to come and pick up animals.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve the Harlingen Animal Shelter Facility to close an additional day (Monday) to the public to allow the continued effort of disinfecting the shelter to prevent the spread of more diseases and give efficient time to the Rescues and Foster Homes to come and pick up animals. Motion carried unanimously.

- d) Consideration and possible action to approve a resolution accepting the Federal Aviation Administration (FAA) anticipated Grant Offer No. 3-48-0101-079-2024 for \$5,000,000.00 for the Air Traffic Control Tower Project at Valley International Airport.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve a resolution accepting the Federal Aviation Administration (FAA) anticipated Grant Offer No. 3-48-0101-079-2024, for \$5,000,000.00 for the Air Traffic Control Tower Project at Valley International Airport. Motion carried unanimously.

- e) Consideration and possible action to approve a request from Remi Garza, Cameron County Elections Administrator, to use the following locations as Early Voting Sites for the December 14, 2024, Special Runoff Election.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Mezmar to approve the request from Remi Garza, Cameron County Elections Administrator, to use the following locations as Early Voting Sites for the December 14, 2024, Special Runoff Election. Motion carried as follows: FOR:

Mayor Pro-Tem Perez, Commissioners: Mezmar, Morales, Lopez, Kinsley; AGAINST: None; ABSTAINED
Commissioner Lopez. (Vote: 4-0-1)

- Cultural Arts Center 575 "76" Drive; City Hall, Town Hall Meeting Room, 2nd Floor 118 E. Tyler Ave., and
- Harlingen Convention Center, 701 Harlingen Hights Dr.
- Monday through Friday, December 2 through the 6th; Saturday, Dec. 7th – 10 a.m. to 5 p.m.; and Monday, December 9 through the 10th, 2024, from 9:00 a.m. to 7:00 p.m.

f) Consideration and possible action to approve the planning and construction of a pocket park within Gayle Park Subdivision utilizing the abandoned Bonita Road right-of-way and dedicating funding for the construction.

Javier Mendez, Parks, and Recreation Director stated they met with John Percy, Architect, and the cost estimate to improve the park would be \$30,735.00. However, the cost could vary depending on the parking spaces. Due to the number of ebony trees, the staff is considering building a trail to the back of the property, adding a pergola and a butterfly garden, and a bicycle-friendly and/or walking trail park. The need for a parking lot will be eliminated, and the cost will be reduced by about \$2,500.

Commissioner Lopez stated that this project resulted from the neighborhood revitalization program. After we had our first walk, we identified that this land was in District 2 and figured out a way to do this inexpensively. We look forward to getting this done and making it a low-maintenance project. He requested that one or two concrete tables with a chessboard be installed so that they can be used by students who visit the park. He recommended that staff continue identifying other land areas within the five districts that could be used as pocket parks and eventually have pocket parks in each District.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to approve the planning and construction of a pocket park within Gayle Park Subdivision utilizing the abandoned Bonita Road right-of-way and dedicating the funding for the construction. Motion carried unanimously.

g) Consideration and possible action to authorize the City Manager to begin negotiations with a Semi-Pro Soccer Club and to execute an agreement for the use of Harlingen Field for their summer season games.

Javier Mendez stated they were approached by the United Soccer League, which requested that a semi-professional soccer team be brought to Harlingen and use the Harlingen Field. This facility has not been used for quite a while, only for occasional city events. Staff is proposing to move forward with this request and enter into an agreement. If approved by the City Commission, various repairs need to be done to meet the requirements of the Soccer Club and bring it up to their standards. The estimated amount is \$39,800 to cover certain repairs, such as the A/C unit, changing the station for the players, A/C in the office, window replacement, and irrigation repairs.

Commissioner Mezmar asked if this organization was for-profit or a non-profit and if they were incorporated and had liability insurance.

Mr. Colby Fayyad, Event Organizer/Promoter for the soccer league, stated they were a for-profit organization but were not yet incorporated. He added that the league (third division of the United Soccer League (USL)) provides some insurance for the players in a semi-professional team. This would be an opportunity to bring pride to the community and establish a team where people will come to our events as season ticket holders. We want to create a legacy of success and community spirit. We will have coaching, playing, and training opportunities, as well as programs to get those interested involved in the day-to-day aspect of professional sports: the front office, marketing, sales, public relations, or training on the field. Provide real-life experiences for students interested in working in professional sports through internship programs and help them decide whether or not this is the route they want to pursue. We have a 5-year plan to bring a Women's Soccer League. The season would start in late May and run through late July. If we make the playoffs, then it would be until early August. There would be 5 home games and 5 away games: Austin, San Antonio, Houston, and hopefully Harlingen. As part of the contract, if we were to host a conference game, we would have to provide (8) hotel rooms for the visiting team and have a team dinner. The games would be on Saturday evenings between 7:00 p.m. – 7:30 p.m. We are launching a new website

today: RGVProSoccer.com. We want input from the community on what they want or expect from this, such as team name, colors, mascot, and a game day experience.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to authorize the City Manager to begin negotiations with a Semi-Pro Soccer Club and to execute an agreement for the use of the Harlingen Field for their summer season games. Motion carried unanimously.

- h) Consideration and possible action to approve a resolution authorizing the transfer of real property to the Lower Rio Grande Valley Development Council (LRGVDC).

Commissioner Lopez stated he was contacted by Pastor Benny Garza of the church located next to the property that is being discussed. He asked if the drainage in that area would be efficient when the building was completed. They are currently affected by large amounts of rainwater.

Mr. Gonzalez stated that when Valley Metro applies for a building permit, they must have a drainage plan for the site, which Luis Vargas, the City Engineer, would review.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve a resolution authorizing the transfer of real property to the Lower Rio Grande Valley Development Council (LRGVDC). Motion carried unanimously.

11. **Board Appointments:**

There were no appointments made.

Commissioner Mezmar stated that a street hump was requested for 25th St. between Poinciana and Lotus, heading towards Ed Carey (Treasure Hills). This request was forwarded to the Assistant City Manager, Oscar Garcia, for consideration and review.

12. **Executive Session:**

- a) Discussion and/or possible action approving the highest bid(s) received on the following property struck off to Cameron County for itself and other taxing jurisdictions from a tax resale conducted on November 5, 2024:

1. Legal Description: The West ½ of South 91.50 feet of Lot 1, Block 43, City of Harlingen, Cameron County, Texas, as described in Cause #42,123-A, District Court Records of Cameron County, Texas. (ACCT. NO. 1500000430001200).
2. Legal Description: The East ½ of South 91.50 feet of Lot 1, Block 43, City of Harlingen, Cameron County, Texas, as described in Cause #42,123-A, District Court Records of Cameron County, Texas. (ACCT. NO. 1500000430001100).
3. Legal Description: Lot 28, Block 2, Charleston Addition, An addition to the City of Harlingen, Cameron County, Texas, as described in Volume 615, Page 162, Deed Records of Cameron County, Texas. (ACCT. NO. 1641100020028000).
4. Legal Description: Lot 4, Block 5, Bonneville Terrace Subdivision, a Subdivision in the City of Harlingen, Cameron County, Texas, according to the map or plat thereof, recorded in Volume 18, Page 137, Map Records of Cameron County, Texas; SAVE & EXCEPT however, that particular 0.010-acre tract described in Volume 28, Page 329, Official Records of Cameron County, Texas leaving herein a residue of 0.1607 acres, more or less. (ACCT. NO. 9712200050004000).

- b) Consultation with legal counsel pursuant to Texas Government Code 551.071 (2) to receive a confidential legal opinion from the City Attorney protected by the attorney-client communications privilege and attorney-client work product privilege.

At 6:49 p.m., Mayor Sepulveda announced that the City Commission would convene in an Executive Session.

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

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

At 7:24 p.m., Mayor Sepulveda announced that the City Commission had completed its executive session and declared the meeting open to the public.

a) Consideration and possible action on Item(s) #12 (a) 1, 2, 3, and 4, as discussed in the executive session.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to proceed on Item 12 (a) 1, 2, 3 and 4 as discussed in executive session. Motion carried unanimously.

a) Discussion and possible action to approve an ordinance on first reading, amending Harlingen City Code of Ordinances, Article II, Valley International Airport Division 1. Generally, Section 8-25 Airport Operations Manual and adopting Article II, Valley International Airport Division 1, Section 8-25 Airport Certification Manual.

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Kinsley to proceed on Item 12 (b) as discussed in executive session. 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

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(a)

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 318 S. New Hampshire Street, bearing a legal description of Lot 1, Block 3, South New Hampshire Subdivision. Applicant: Juan Ruiz. 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 rezoning request.

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

Comments:

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

ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT TO RESIDENTIAL, DUPLEX ("R-2") DISTRICT FOR A PROPERTY LOCATED AT 318 S. NEW HAMPSHIRE STREET, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 3, SOUTH NEW HAMPSHIRE 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:

Rezoning from Residential, Single -Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 318 S. New Hampshire Street, bearing a legal description of Lot 1, Block 3, South New Hampshire 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 Building Inspection Inspector and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within by the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

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

FINALLY ENACTED this 15th day of January, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

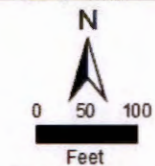
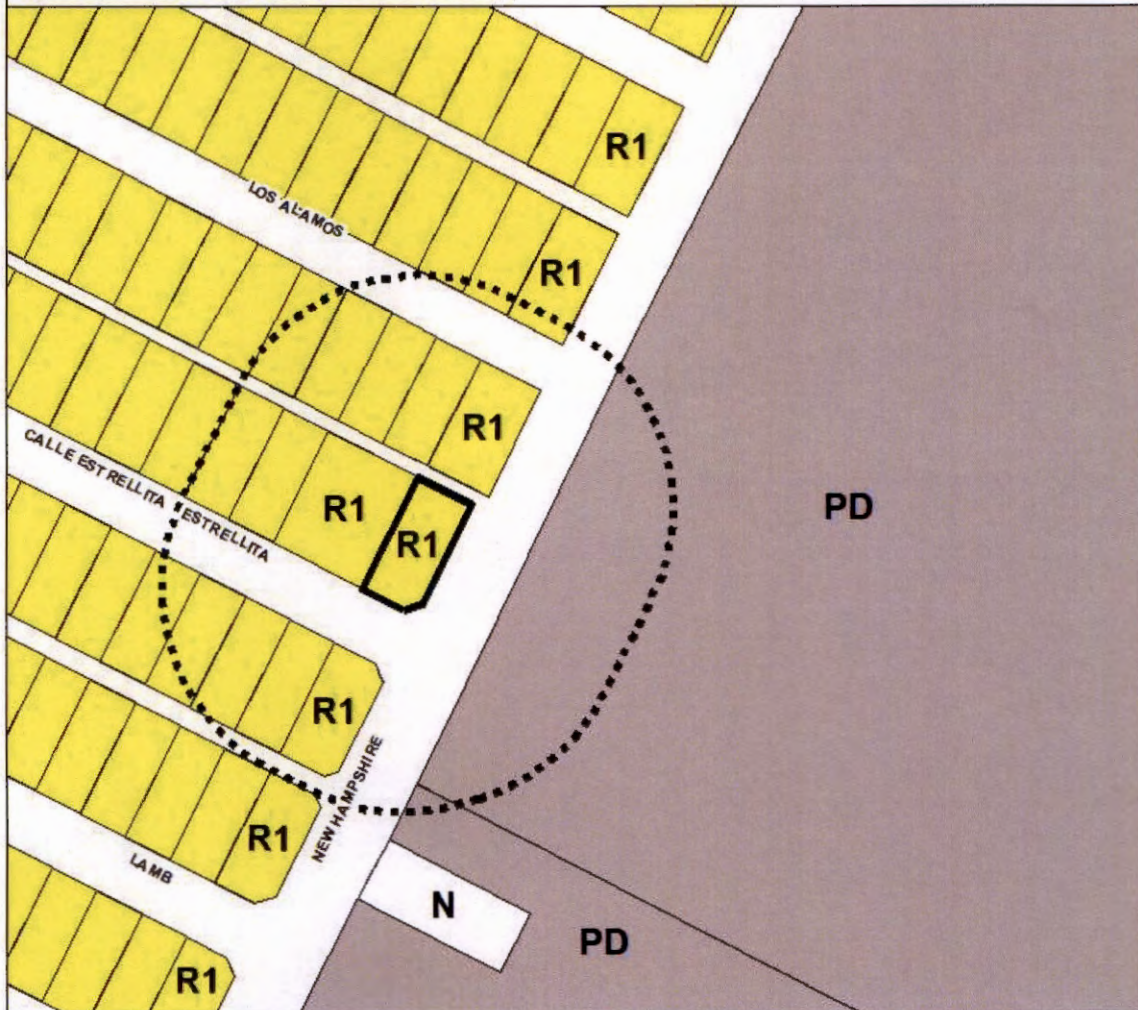
ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



Request to rezone from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 318 S. New Hampshire Street, bearing a legal description of Lot 1, Block 3, South New Hampshire Subdivision. Applicant: Juan Ruiz



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 11.05.2024

7(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for a rezoning request from Not-Designated ("N") District to Planned Development ("PD") District for one (1) commercial lot and fifteen (15) duplex lots out of Lot 1, Block 2, Georgette Subdivision, located at the southwest corner of Ted Johnson Lane and Bass Boulevard. Applicant: Georgina Gonzalez. 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 of the request.

Comments:

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

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

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN TO: REZONE FROM NON-DESIGNATED ("N") DISTRICT TO PLANNED DEVELOPMENT ("PD") DISTRICT TO ALLOW FIFTEEN (15) DUPLEX LOTS AND ONE (1) COMMERCIAL LOT OUT OF LOT 1, BLOCK 2, GEORGETTE SUBDIVISION, LCOATED ON THE NORTHWEST CORNER OF BASS BOULEVARD AND JOHNSTON LANE 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 special use permit 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 special use permit having been fully made and complied with as required by said Code of Ordinances and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Rezone from Non-Designated ("N") District to Planned Development ("PD") District for fifteen (15) duplex lots and one (1) commercial lot out of Lot 1, Block 2, Georgette Subdivision, located on the northwest corner of Bass Boulevard and Johnston Lane as shown in Exhibit "A".

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

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

FINALLY ENACTED this 15th day of January, 2025 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.

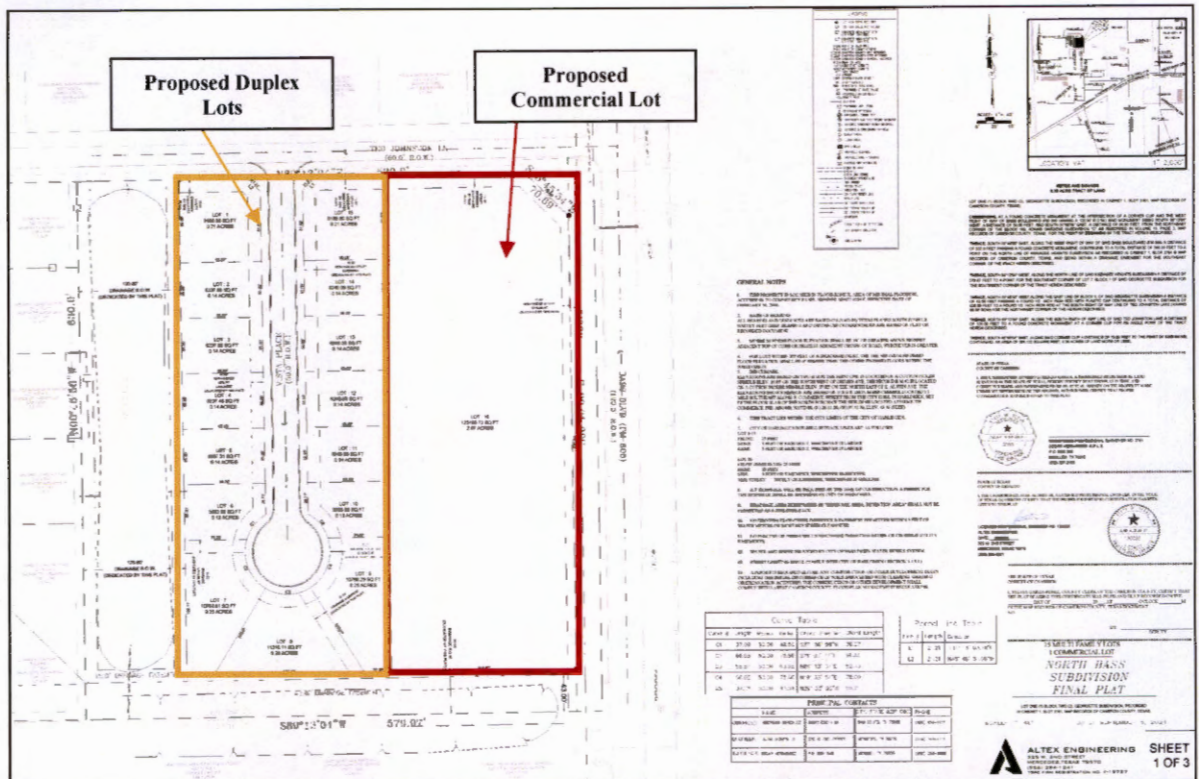
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



Lots 1-15 Setbacks	
Front	15 feet
Sides	5 feet or easement whichever is greater
Rear	5 feet or easement whichever is greater
Lots 16 Setbacks	
Front (Bass Blvd.)	25 feet
Rear	10 feet
Side	5 feet or easement whichever is greater
Side Street	10 feet or easement whichever is greater

AGENDA ITEM
EXECUTIVE SUMMARY

7(c)

Meeting Date: January 15, 2025

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading to abandon and vacate the South 18 feet of an existing 65-foot shared parking and access easement, being 0.12 acres out of Lot 3, Coastal Subdivision, located at 6102 W. Expressway 83. Applicant: Trimani Investments Harlingen LLC. 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.

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

Comments:

City Attorney's approval: *Mon E. De* ☒ Yes ☐ No ☐ N/A

ORDINANCE NO. 25-_____

AN ORDINANCE ABANDONING AND VACATING THE SOUTH 18 FEET OF THE EXISTING 65-FOOT SHARED PARKING AND ACCESS EASEMENT, DESCRIBED AS A 0.12 ACRE (5,384 SQ. FT.) OUT OF LOT 3, COASTAL SUBDIVISION, LOCATED AT 6102 W. EXPRESSWAY 83.

WHEREAS, the South 18 feet of an existing 65-foot shared parking and access easement being a 0.12 acre (5,384 sq. ft.) 0.167 acre tract of land out of the said 65-foot shared parking and access easement in Lot 3, Coastal Subdivision, Cameron County, Texas; and

WHEREAS, a request has been made by Trimani Harlingen, LLC, which is the landowner for the subject lot which contains the shared parking and access easement to be abandoned;

WHEREAS, the said shared parking and access easement interferes with the future development of the subject property; and

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

SECTION I: That the South 18 feet of the existing 65-foot shared parking and access easement, being a 0.12 acre (5,384 sq. ft.) out of Lot 3, Coastal Subdivision Harlingen, Cameron County, Texas, according to the map recorded in Document 14093 of the Map Records of Cameron County, Texas is hereby abandoned and vacated, as described in Exhibit "A".

FINALLY ENACTED this 15th day of January, 2025 at a regular meeting of the Commission of the City of Harlingen, Texas at which a quorum was present and

which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

NOT A BOUNDARY SURVEY

**MERIDIAN OF
COASTAL
SUBDIVISION**

LOT 14 **WILDWOOD SUBDIVISION UNIT 1**
(CABINET 1, SLOT 1588-B, MAP RECORDS)
LOT 15
B L O C K 2 **LOT 16**

LOT 2 **LOT 3** **DILWORTH ROAD**
(60 FT. R.O.W.)

POINT OF BEGINNING

MAP OF
0.12 ACRE (5,384 SQ. FT.) OUT OF LOT NUMBER THREE (3), COASTAL SUBDIVISION, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT 14093, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 40'
PREPARED FOR:
TRIMANI HARLINGEN LLC
NOVEMBER 17, 2024

U.S. EXPRESSWAY 83
(300 FT. R.O.W.)
COMMENCING POINT

Mejia & Rose, Incorporated
Engineering Surveying
T.B.P.E. Reg. No. F-2670
T.B.P.L.S. Reg. No. 10023900
1843 West Price Road (956) 544-3022
P.O. Box 3761 Brownsville, Texas 78520
Fax (956) 544-3066
email: mandrinc@gmail.com
G.F. NO. N/A JOB NO. 22218
KARLA POZARAJA

Exhibit "A"

Mejia & Rose, Incorporated

Engineering

Surveying

T.B.P.E. No. F-002670

T.B.P.L.S. No. 10023900

TRIMANI HARLINEN LLC
0.12 ACRES

NOVEMBER 17, 2024
JOB NO. 22718

METES AND BOUNDS DESCRIPTION

0.12 ACRE (5,384 SQ. FT.) OUT OF A 65 FT. SHARED PARKING AND ACCESS EASEMENT IN LOT NUMBER THREE (3), COASTAL SUBDIVISION, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT 14093, MAP RECORDS OF CAMERON COUNTY, TEXAS; SAID 0.12 ACRE BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS;

COMMENCING, AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF U.S. EXPRESWAY 83 (300 FT. R.O.W.) AND THE WEST RIGHT-OF-WAY LINE OF DILWORTH ROAD (60 FT. R.O.W.), AND BEING THE SOUTH BOUNDARY LINE OF SAID LOT 3, **THENCE**, LEAVING THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. EXPRESWAY 83, ALONG THE WEST RIGHT-OF-WAY LINE OF DILWORTH ROAD AND THE EAST BOUNDARY LINE OF SAID LOT 3, NORTH 44 DEG. 18 MIN. 54 SEC. EAST, A DISTANCE OF 70.27 FEET, FOR A CORNER OF SAID LOT 3, **THENCE**, CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID DILWORTH ROAD AND THE EAST BOUNDARY LINE OF SAID LOT 3, NORTH 01 DEG. 01 MIN. 26 SEC. WEST, A DISTANCE OF 235.0 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF SAID DILWORTH ROAD AND THE EAST BOUNDARY LINE OF SAID LOT 3, **THENCE**, LEAVING THE WEST RIGHT-OF-WAY LINE OF SAID DILWORTH ROAD AND THE EAST BOUNDARY LINE OF SAID LOT 3, SOUTH 89 DEG. 41 MIN. 14 SEC. WEST, A DISTANCE OF 10.00 FEET TO THE INTERSECTION OF A 10 FT. UTILITY EASEMENT AND THE SOUTH BOUNDARY LINE OF SAID 65 FT. SHARED PARKING AND ACCESS EASEMENT, FOR THE SOUTHEAST CORNER AND **POINT OF BEGINNING** OF THIS TRACT;

THENCE, ALONG THE SOUTH BOUNDARY LINE OF SAID 65 FT. SHARE PARKING AND ACCESS EASEMENT, SOUTH 89 DEG. 41 MIN. 14 SEC. WEST, A DISTANCE OF 299.26 FEET TO THE WEST BOUNDARY LINE OF SAID LOT 3, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID LOT 3, NORTH 00 DEG. 19 MIN. 54 SEC. WEST, A DISTANCE OF 18.00 FEET, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, LEAVING THE WEST BOUNDARY LINE OF SAID LOT 3, NORTH 89 DEG. 41 MIN. 14 SEC. EAST, A DISTANCE OF 299.04 FEET TO THE WEST BOUNDARY LINE OF SAID 10 FT. UTILITY EASEMENT, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID 10 FT. UTILITY EASEMENT, SOUTH 01 DEG. 01 MIN. 26 SEC. EAST, A DISTANCE OF 18.00 FEET TO THE **POINT OF BEGINNING** OF THIS TRACT;

CONTAINING, 0.12 ACRES (5,384 SQ. FT.) OF LAND, MORE OR LESS.

NOT A BOUNDARY SURVEY.

E.H. Mejia
EDUARDO H. MEJIA,
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3900
STATE OF TEXAS



7(d)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

AGENDA ITEM:

Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 1505 Thacker Lane, bearing a legal description of Lots 14 and 15, Block 3, Oak Ranch Estates Subdivision Phase III. Applicant: John Louis Castillo. 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 request subject to compliance with the following conditions:

1. Complying with the requirements administered by Planning and Zoning, Building Inspections and Fire Prevention Bureau Departments.

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

Comments:

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

ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO JOHN LOUIS CASTILLO TO ALLOW A STORAGE BUILDING GREATER THAN 144 SQUARE FEET IN A RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT LOCATED AT 1505 THACKER LANE, BEARING A LEGAL DESCRIPTION OF LOTS 14 AND 15, BLOCK 3, OAK RANCH ESTATES PHASE III 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) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 1505 Thacker Lane, bearing a legal description of Lots 14 and 15, Block 3, Oak Ranch Estates Phase III 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. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention Bureau, and Engineering Departments.

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 15th day of January, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

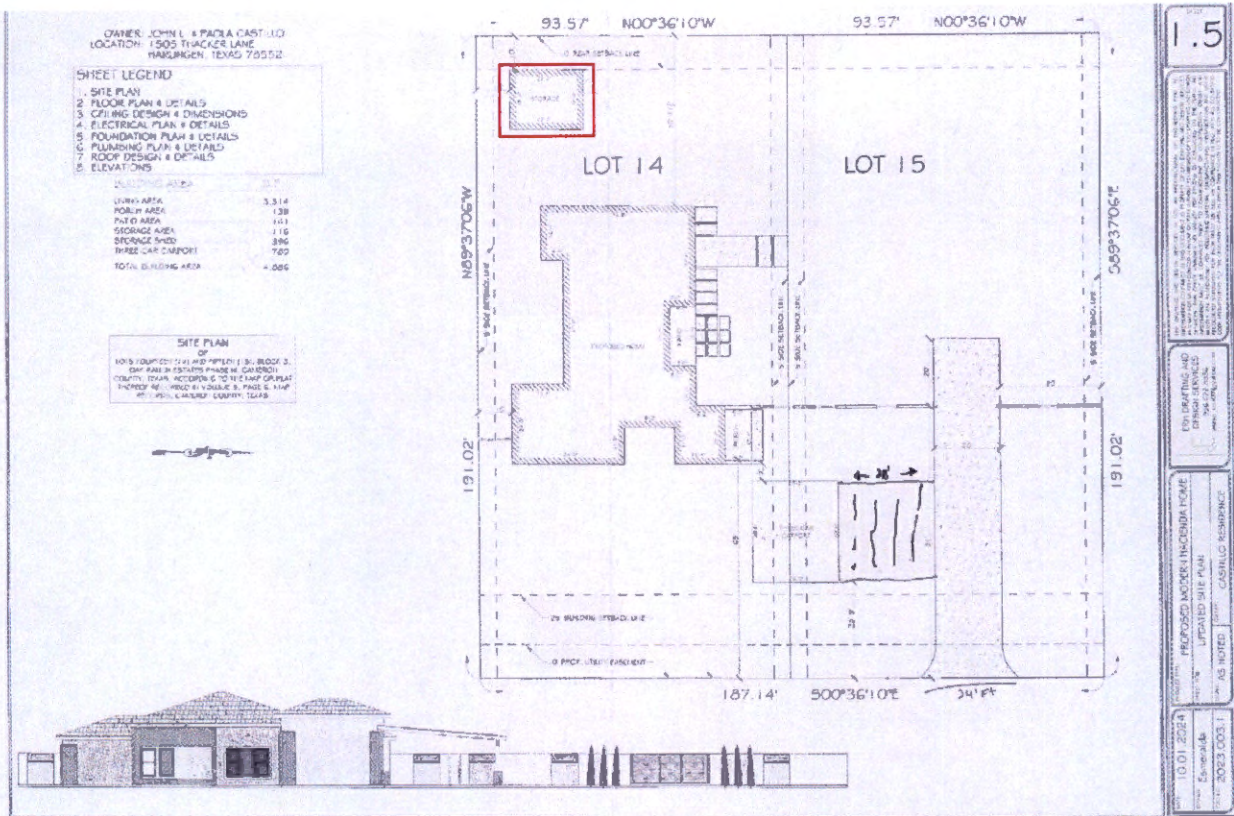
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

EXHIBIT "A"



7(e)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 910 Morgan Boulevard, Suite B, bearing a legal description of Lots 8-9-10-11, Rio Land Subdivision. Applicant: Anthony Aguilar. Attachment (**Planning & Development**)

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

Brief Summary:

Project Timeline

- October 29, 2024 – Application for Special Use Permit ("SUP") submitted to the City. **(ATTACHMENT I)**
- November 11, 2024 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- November 11, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- November 23, 2024 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z). **(Meeting was cancelled due to lack of quorum.)**
- December 11, 2024 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- December 18, 2024 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- January 15, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances, an "adult business" (smoke shop) use in a "GR" District requires the approval of a Special Use Permit (SUP) by the City Commission.
- Anthony Aguilar, the applicant, is requesting a Special Use Permit to allow a smoke shop under the name of "Highly Motivated Smoke Shop" out of an existing suite located at 910 Morgan Boulevard. The suite is approximately 600 square feet. **(ATTACHMENTS I, II).**
- Based on the site plan and information submitted by the applicant, the applicant is proposing to operate 10 am to 10 pm Monday through Saturday, and 12 pm to 8 pm on Sundays. The merchandise will consist of tobacco, cigars, cigarettes, rolling papers, pipes, vapes, vape accessories, CBD, lighters, candles, air fresheners, trays, grinders, water pipes, and incense. Two (2) parking spaces are required and provided in the common parking area. There are a total of eleven

(11) parking spaces provided in the plaza. (ATTACHMENT III)

- Surrounding properties are zoned General Retail ("GR") District to the north, south, and west, and Residential, Single-Family ("R-1") District to the east. Land uses within the plaza include a tortilla factory. Surrounding businesses are Pizza Hut to the north, single-family residences to the east, a vacant commercial property to the south, and a commercial plaza to the west. (ATTACHMENTS IV-VI)
- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, and Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department (ATTACHMENTS VII-X).
- A map depicting a 2-mile radius circle around each existing and in process smoke shop can be found in (ATTACHMENT XI)
- The applicant must obtain and maintain the proper State permits.
- Presently, the Planning and Zoning Department has not received any objections to the request from surrounding property owners. Staff had sent out sixteen (16) legal notices to surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

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 request subject to compliance with the following conditions:

1. Obtaining and maintaining the proper State and City permits; and,
2. Maintaining the required parking in accordance with city regulations; and,
3. Providing video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments.
5. Hours of operation are 10 a.m. to 10 p.m. Monday through Saturday and 12:00 p.m. to 8:00 p.m. on Sundays.

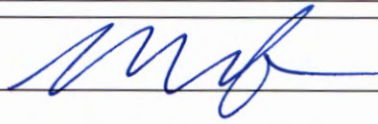
City Manager's approval:

6/6

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☒

Yes

☐

No

☐

N/A

Attachment I

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 910 Morgan Blvd, STE B Nearest Intersection _____
(Proposed) Subdivision Name _____ Lot _____ Block _____
Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Anthony Aguilar Phone 956-382-3225 FAX _____
Email Address (for project correspondence only): anthonyaguilar45@gmail.com
Mailing Address 303 W. US 83 BUS City Weslaco State Texas Zip 78596
Property Owner Raul Ugarte Phone _____ FAX _____
Email Address (for project correspondence only): raul.ugarte@hotmail.com
Mailing Address 3404 Rosewood Dr. City Weslaco State Tx Zip 78596

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

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

Please provide a basic description of the proposed project: Retail Store - Smoke Shop -
Sales of merchandise to casual smokers, gift shoppers, vape users, regular smokers.

Highly Motivated Smoke Shop 8:00am to 10:00pm

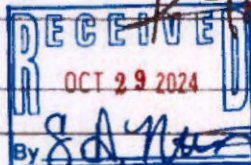
I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature: Anthony Aguilar Date: 10/24/24

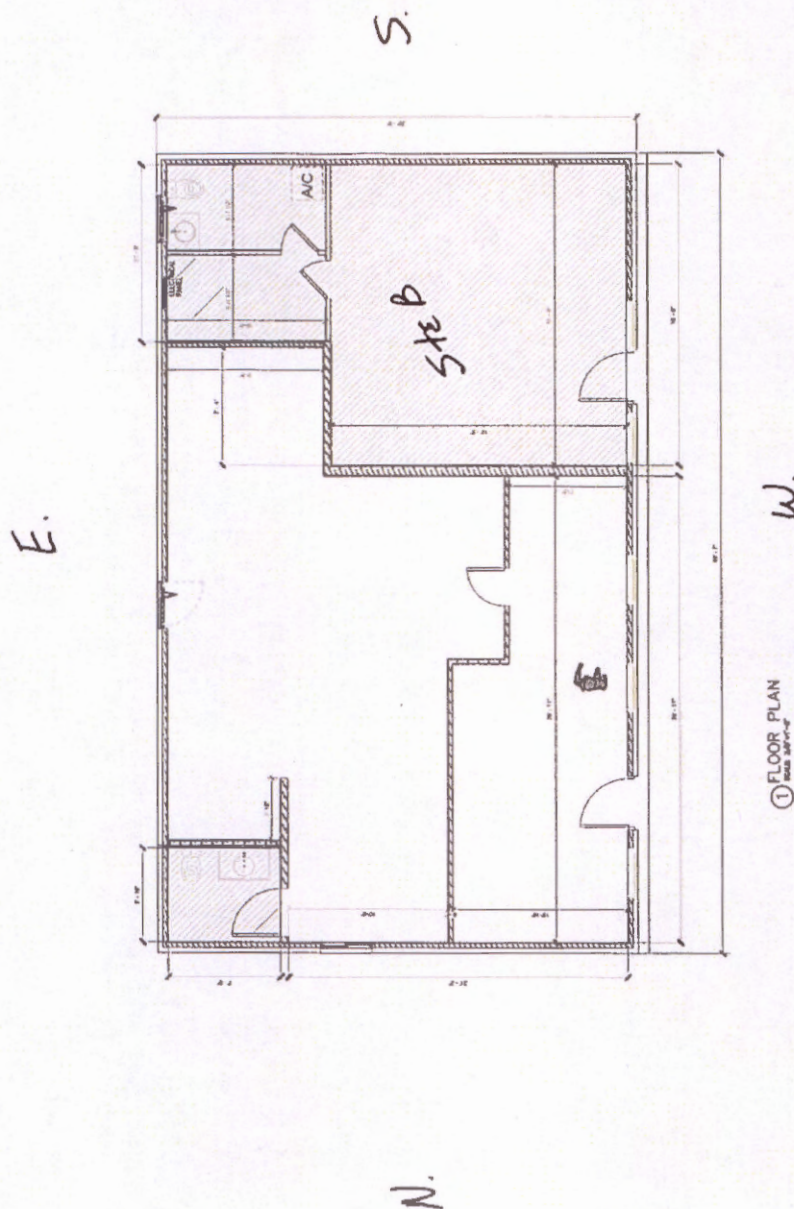
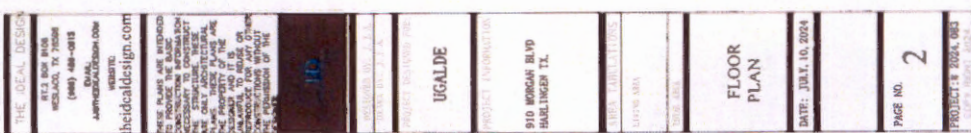
Property Owner(s) Signature: X Date: 10/25/24

Accepted by: _____ Date: _____

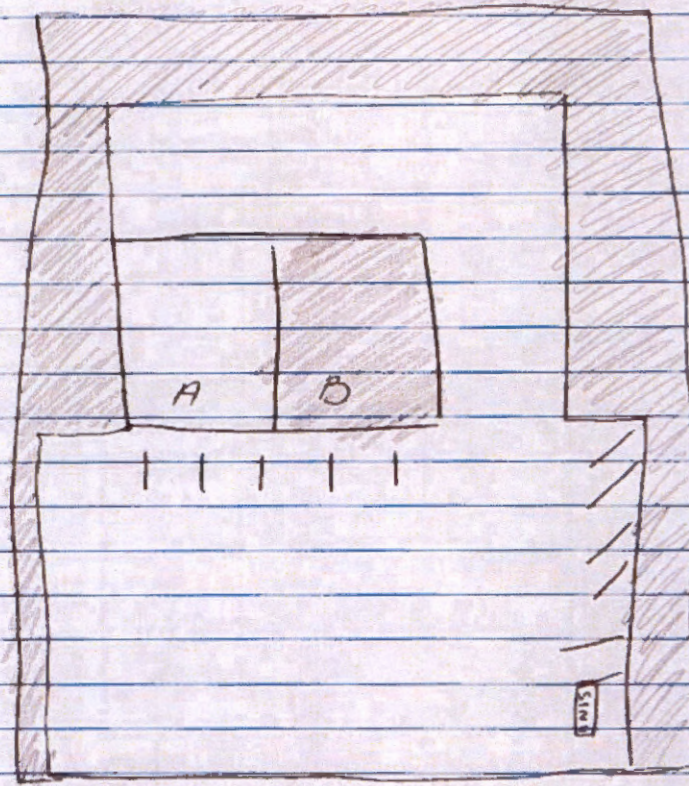
Revised 09/13/2024



Attachment II



Attachment III



Street

Attachment IV

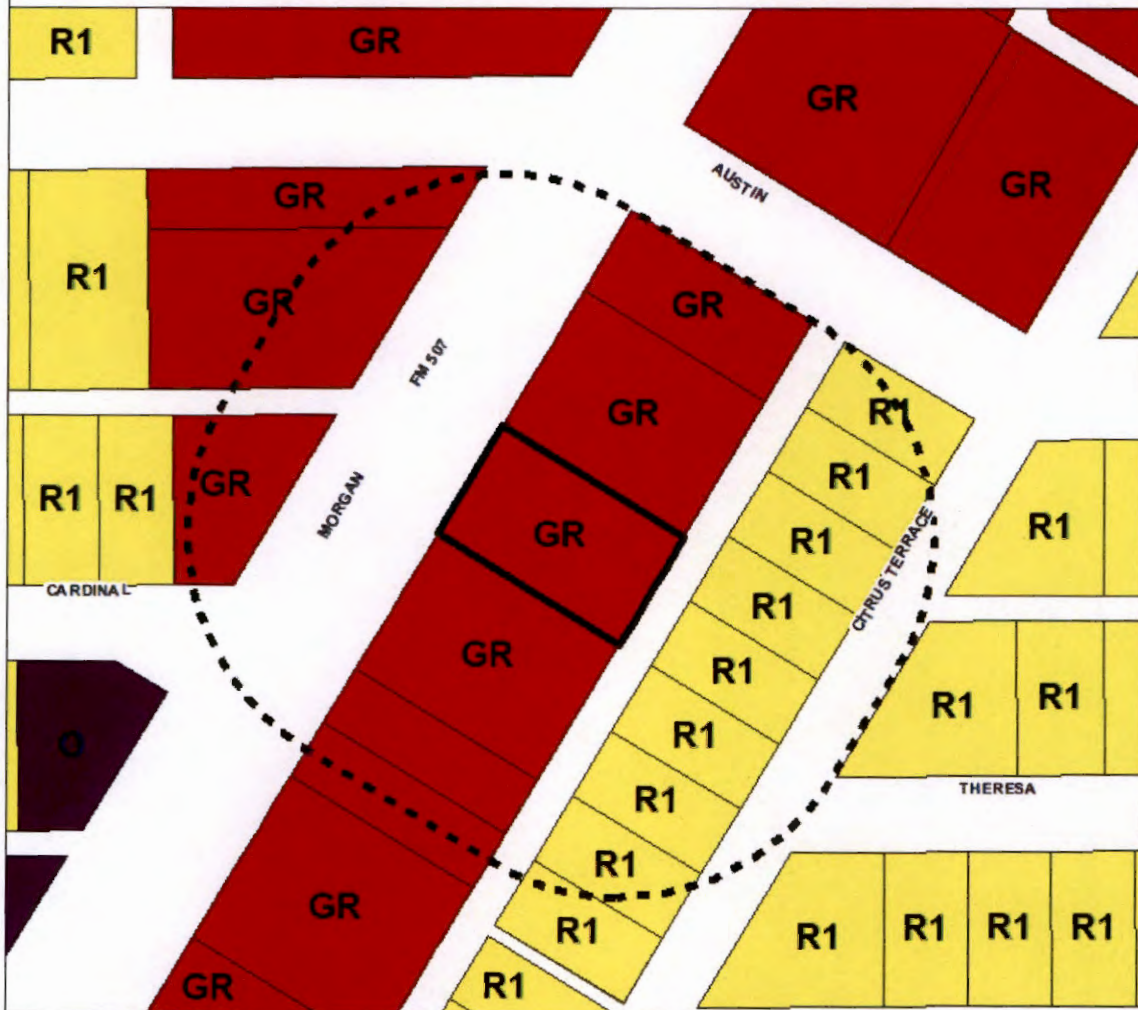
Street View from Morgan Blvd



Attachment V



Request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 910 Morgan Boulevard, Suite B, bearing a legal description of Lots 8-9-10-11, Rio Land Subdivision. Applicant: Anthony Aguilar



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 10.30.2024

Attachment VI



Attachment VII



Specific Use Permit ("SUP") Routing Slip

Applicant: Anthony Aguilar

Phone No.: (956) 392-3225

Location: 910 Morgan Blvd Ste B

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 910 Morgan Boulevard, Suite B, bearing a legal description of Lots 8-9-10-11, Rio Land Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

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

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: November 13, 2024

Attachment VIII



Specific Use Permit ("SUP") Routing Slip

Applicant: Anthony Aguilar

Phone No.: (956) 392-3225

Location: 910 Morgan Blvd

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 910 Morgan Boulevard, Suite B, bearing a legal description of Lots 8-9-10-11, Rio Land Subdivision.

Department: Building Department

Approval: ☒ YES ☐ NO

Comments:

A Building Permit application and complete set of plans must be submitted to the building department office for the proposed Retail Use (Sell of Product Only). To comply with the 2018 International Building Code and Family of Codes. Mechanical Ventilation shall be provided on smoke areas as per 2018 International Mechanical Code. Please provide exhaust fan specifications as part of mechanical engineer plans (If Applicable)

A handwritten signature in blue ink, appearing to be 'Anthony Aguilar', is written over a horizontal line.

11/12/2024

Signature

Date

Attachment IX



Specific Use Permit ("SUP") Routing Slip

Applicant: Anthony Aguilar

Phone No.: (956) 392-3225

Location: 910 Morgan Blvd

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 910 Morgan Boulevard, Suite B, bearing a legal description of Lots 8-9-10-11, Rio Land Subdivision.

Department: HARLINGEN POLICE DEPT.

Approval: ✓ YES NO

Comments:

A handwritten signature in black ink, appearing to be 'M. Aguilar', written over a horizontal line.

Signature

11-19-24

Date

Attachment X

From: James Padilla
To: Esteefania Hernandez; Juan Martinez; Roxanne Encinia - HFD; Juan Saucedo Jr. - HFD; Raul Rodriguez; Molly Trevino; Frances Pena - HPD
Subject: RE: PnZ Special Use Permit Routing Slip - adult business (smoke shop) at 910 Morgan Blvd
Date: Wednesday, November 13, 2024 8:46:20 AM
Attachments: image001.png

Good morning,

Health Department does not regulate smoke shops unless they plan on prepping and selling foods. Texas Department of Licensing and Regulations (TDLR) will be the regulatory authority. Thanks

From: Esteefania Hernandez <ehernandez@harlingentx.gov>
Sent: Tuesday, November 12, 2024 8:16 AM
To: Juan Martinez <juanm@harlingentx.gov>; Roxanne Encinia - HFD <roxannee@harlingentx.gov>; Juan Saucedo Jr. - HFD <jsaucedo@harlingentx.gov>; Raul Rodriguez <raulr@harlingentx.gov>; Molly Trevino <mollyt@harlingentx.gov>; James Padilla <jpadilla@harlingentx.gov>; Frances Pena - HPD <fpena@harlingentx.gov>
Subject: RE: PnZ Special Use Permit Routing Slip - adult business (smoke shop) at 910 Morgan Blvd

Good morning,

Acknowledged and received, thank you!

-Esteefania

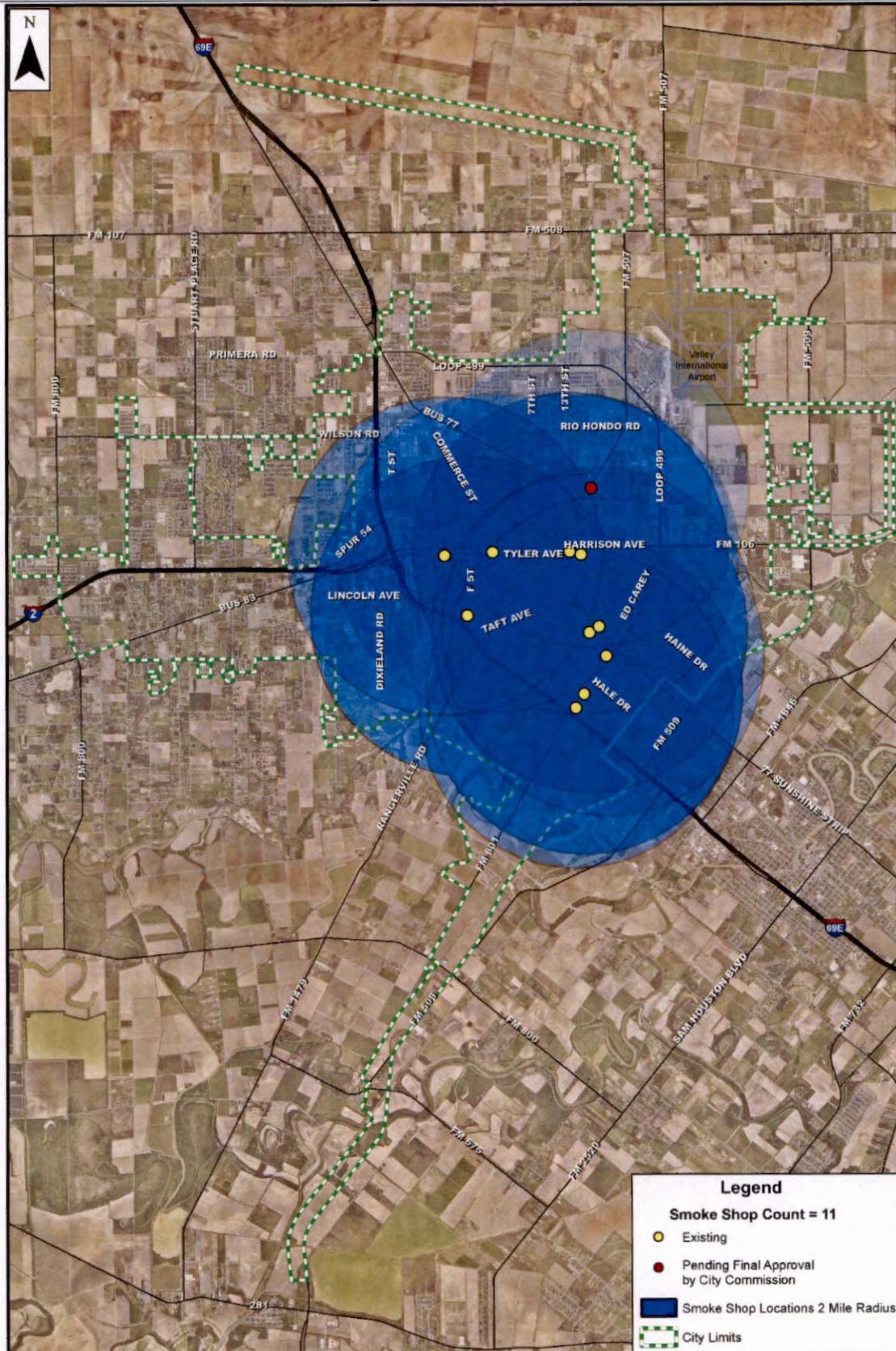
From: Juan Martinez <juanm@harlingentx.gov>
Sent: Tuesday, November 12, 2024 8:15 AM
To: Esteefania Hernandez <ehernandez@harlingentx.gov>; Roxanne Encinia - HFD <roxannee@harlingentx.gov>; Juan Saucedo Jr. - HFD <jsaucedo@harlingentx.gov>; Raul Rodriguez <raulr@harlingentx.gov>; Molly Trevino <mollyt@harlingentx.gov>; James Padilla <jpadilla@harlingentx.gov>; Frances Pena - HPD <fpena@harlingentx.gov>
Subject: RE: PnZ Special Use Permit Routing Slip - adult business (smoke shop) at 910 Morgan Blvd



Juan G. Martinez
Chief Building Official
City of Harlingen
502 E. Tyler Ave., Harlingen, TX 78550
Office: (956) 216-5160

From: Esteefania Hernandez <ehernandez@harlingentx.gov>
Sent: Tuesday, November 12, 2024 8:10 AM
To: Roxanne Encinia - HFD <roxannee@harlingentx.gov>; Juan Saucedo Jr. - HFD

Attachment XI – Harlingen Smokes Shops 2-mile radius map



CITY OF HARLINGEN
ENGINEERING DEPARTMENT
24200 FM 509
HARLINGEN, TEXAS 78550
(956) 216-5280

SMOKE SHOP LOCATIONS

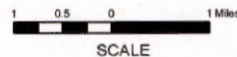


EXHIBIT NUMBER:

G-101

DATE: 12-20-2024

SHEET 1 OF 1

ORDINANCE NO. 25-_____

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 910 MORGAN BOULEVARD, SUITE B, BEARING A LEGAL DESCRIPTION OF LOTS 8-9-10-11, RIO LAND 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 Anthony Aguilar to allow an adult business (smoke shop) in a General Retail ("GR") District located at Located at 910 Morgan Boulevard, Suite B, bearing a legal description of Lots 8-9-10-11, Rio Land 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 Exhibits "A" and "B" and shall comply with the conditions as listed below:

1. Obtaining and maintaining the proper State and City permits; and,
2. Maintaining the required parking in accordance with city regulations; and,
3. Providing video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments.
5. Hours of operation are 10 a.m. to 10 p.m. Monday through Saturday and 12:00 p.m. to 8:00 p.m. on Sundays.

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 15th day of January, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

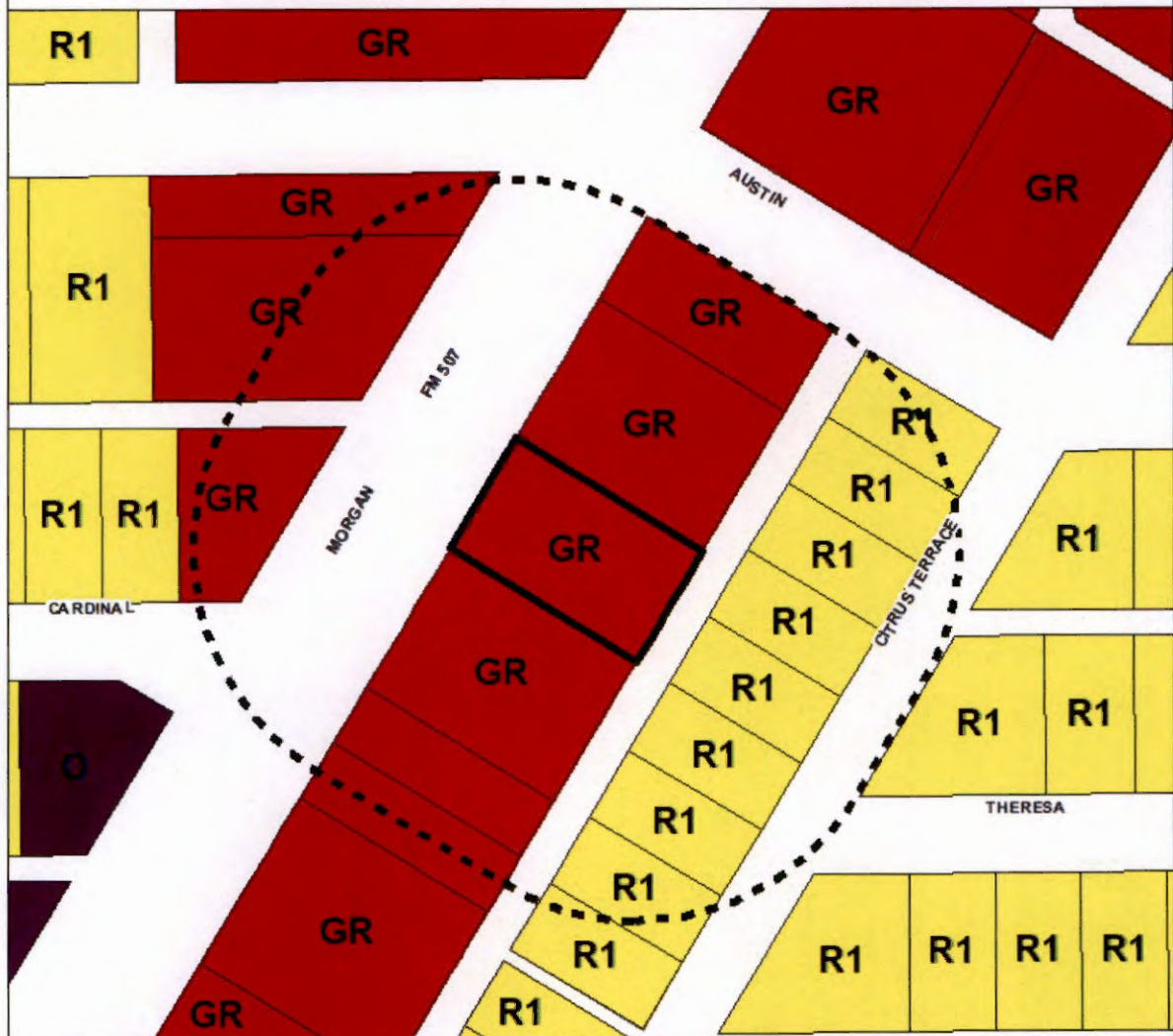
ATTEST:

Amanda C. Elizondo, City Secretary

EXHIBIT "A"



Request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 910 Morgan Boulevard, Suite B, bearing a legal description of Lots 8-9-10-11, Rio Land Subdivision. Applicant: Anthony Aguilar



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 10.30.2024

5.



① FLOOR PLAN
SCALE 1/8" = 1'-0"

u.

FLOOR
PLAN

PAGE NO. 2

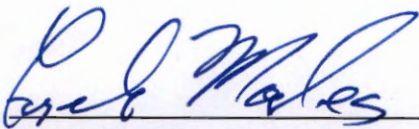
PROJECT: # 2024.083

City of Harlingen
Agenda Item Request Form

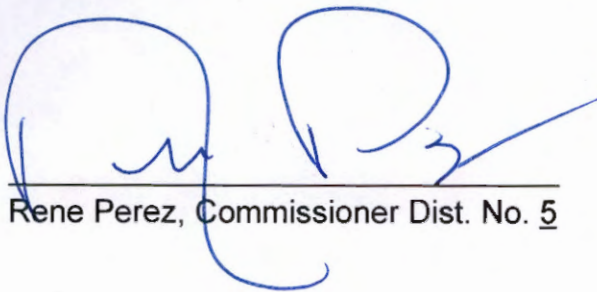
We, hereby request the following item to be added to the January 15, 2025, City Commission Agenda:

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

1. 1200/1300 Block of South "J" Street
2. Paloma Lane Between Business 83 and Garcias Lane
3. Palm Vista Dr. between Beckham Rd., and Palmetto Dr.



Frank Morales, Commissioner Dist. No. 4



Rene Perez, Commissioner Dist. No. 5

7(9)

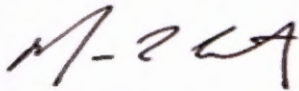
**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **Wednesday, January 15, 2025**

Agenda Item:

Consideration and possible action to approve a resolution, accepting the Federal Aviation Administration (FAA) anticipated Grant offer No. 3-48-0101-080-2024 in the amount of One Million, One Hundred Twenty-Eight Thousand and No/100 Dollars (\$1,128,000.00) for the Air Traffic Control Tower project at Valley International Airport. Attachment (**Airport**)

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

Signature: 

Brief Summary:

This grant is for Valley International Airport's Air Traffic Control Tower project.

Funding (if applicable):

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

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

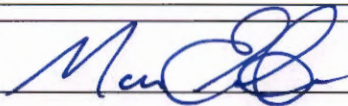
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends acceptance of the anticipated Federal Aviation Administration (FAA) Grant offer No. 3-48-0101-080-2024 in the amount of One Million, One Hundred Twenty-Eight Thousand and No/100 Dollars (\$1,128,000.00) for the Air Traffic Control Tower project at Valley International Airport.

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

Comments:

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

RESOLUTION NO. NO. _____

STATE OF TEXAS δ

COUNTY OF CAMERON δ

WHEREAS, the United States Department of Transportation, Federal Aviation Administration is expected to submit an anticipated grant offer; Grant No. 3-48-0101-080-2024; and

WHEREAS, the intended purpose of the anticipated Grant No. 3-48-0101-080-2024 is for the Air Traffic Control Tower project at Valley International Airport in the amount One Million, One Hundred Twenty-Eight Thousand and No/100 Dollars (\$1,128,000.00); and

WHEREAS, the anticipated Grant No. 3-48-0101-080-2024 for the Valley International Airport was approved by the Harlingen Airport Board during its regular meeting of December 17, 2024; and

WHEREAS, the Elective Commission of the City of Harlingen, Texas, deems it necessary and desirable to accept the execution of the anticipated FAA Grant No. 3-48-0101-080-2024, in the amount of One Million, One Hundred Twenty-Eight Thousand and No/100 Dollars (\$1,128,000.00); now, therefore,

BE IT RESOLVED BY THE CITY OF HARLINGEN:

The Mayor of the City of Harlingen, Norma Sepulveda, is hereby authorized to execute on behalf of the City of Harlingen the anticipated Grant Offer No. 3-48-0101-080-2024 for the Air Traffic Control Tower project at Valley International Airport in the amount of One Million, One Hundred Twenty-Eight Thousand and No/100 Dollars (\$1,128,000.00);

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

CONSIDERED AND ADOPTED this 15th day of January 2025, at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present and which was held in accordance with Texas Government Code, Title 5, Subtitle A, Chapter 551.

CITY OF HARLINGEN

BY: _____
Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

7(h)

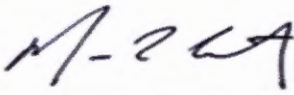
**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **Wednesday, January 15, 2025**

Agenda Item:

Consideration and possible action to approve a resolution, accepting the Federal Aviation Administration (FAA) anticipated Grant offer No. 3-48-0101-081-2024, in the amount of Three Million, Eight Hundred Twenty-One Thousand, Eight Hundred Thirty-Two Dollars and No/100 Dollars (\$3,821,832.00) for the Air Traffic Control Tower project at Valley International Airport. Attachment (**Airport**)

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

Signature: 

Brief Summary:

This grant is for Valley International Airport's Air Traffic Control Tower project.

Funding (if applicable):

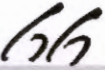
Are funds specifically designated in the current budget for the full ☒ Yes ☐ No*

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

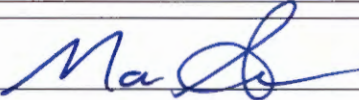
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends acceptance of the anticipated Federal Aviation Administration (FAA) Grant offer No. 3-48-0101-081-2024, in the amount of Three Million, Eight Hundred Twenty-One Thousand, Eight Hundred Thirty-Two Dollars and No/100 Dollars (\$3,821,832.00) for the Air Traffic Control Tower project at Valley International Airport.

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

Comments:

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

RESOLUTION NO. NO. _____

STATE OF TEXAS §

COUNTY OF CAMERON §

WHEREAS, the United States Department of Transportation, Federal Aviation Administration is expected to submit an anticipated grant offer; Grant No. 3-48-0101-081-2024; and

WHEREAS, the intended purpose of the anticipated Grant No. 3-48-0101-081-2024 is for the Air Traffic Control Tower project at Valley International Airport in the amount of Three Million, Eight Hundred Twenty-One Thousand, Eight Hundred Thirty-Two Dollars and No/100 Dollars (\$3,821,832.00) for the Air Traffic Control Tower project at Valley International Airport.; and

WHEREAS, the anticipated Grant No. 3-48-0101-081-2024 for the Valley International Airport was approved by the Harlingen Airport Board during its regular meeting of December 17, 2024; and

WHEREAS, the Elective Commission of the City of Harlingen, Texas, deems it necessary and desirable to accept the execution of the anticipated FAA Grant No. 3-48-0101-081-2024, in the amount of Three Million, Eight Hundred Twenty-One Thousand, Eight Hundred Thirty-Two Dollars and No/100 Dollars (\$3,821,832.00); now, therefore,

BE IT RESOLVED BY THE CITY OF HARLINGEN:

The Mayor of the City of Harlingen, Norma Sepulveda, is hereby authorized to execute on behalf of the City of Harlingen the anticipated Grant Offer No. 3-48-0101-081-2024 for the Air Traffic Control Tower project at Valley International Airport in the amount of Three Million, Eight Hundred Twenty-One Thousand, Eight Hundred Thirty-Two Dollars and No/100 Dollars (\$3,821,832.00);

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

CONSIDERED AND ADOPTED this 15th day of January 2025, at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present and which was held in accordance with Texas Government Code, Title 5, Subtitle A, Chapter 551.

CITY OF HARLINGEN

BY: _____
Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

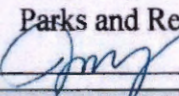
7(i)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and approval of the renewal of the Lease Document N62467-87-RP-00006 for 15.0 acres of land located at 1300 Fair Park Blvd., Harlingen, TX, currently used by the Navy Operational Support Center (NOSC) for a term beginning January 1, 2025, and ending December 31, 2025.

Prepared By (Print Name): Javier Mendez
Title: Parks and Recreation Director
Signature: 

Brief Summary:

The City of Harlingen has received proper notice from Department of the Navy, United States of America, on its intent to continue to occupy the 15-acre tract located at 1300 Fair Park Blvd under the terms of the Lease Document N62467-87-RP-00006 dated December 15, 1986. This is an annual renewal which is required under the terms of the lease.

Funding (if applicable):

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

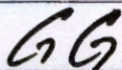
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval.

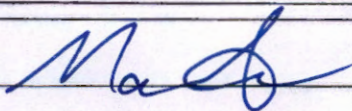
City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A



DEPARTMENT OF THE NAVY
Naval Facilities Engineering Systems Command Southeast
Jacksonville, FL 32212-0030

11011
Ser RE31/01019
November 13, 2024

Mr. Gabriel Gonzalez
City Manager
City of Harlingen, Texas
118 East Tyler Avenue
Harlingen, TX 78550

Dear Mr. Gonzalez,

SUBJECT: RENEWAL OF GOVERNMENT LEASE N62467-87-RP-00006

Enclosed is the Notice of Renewal of Government Lease for use of approximately 15.0 acres of land located near Fair Park Blvd., Harlingen, Texas, currently used by the Navy Operational Support Center (NOSC) for the term beginning January 1, 2025 and ending December 31, 2025. No Funds Required.

Should you have any questions, the point of contact for this action is Ms. Sherlena Washington, Realty Specialist, who may be reached at (904) 233-1910 or via e-mail at sherlena.t.washington.civ@us.navy.mil.

Sincerely,

BAILEY.MICHAEL
.PAUL.10666190
40

Digitally signed by
BAILEY.MICHAEL.PAUL.1066
619040
Date: 2024.11.13 16:05:40
-05'00'

MICHAEL P. BAILEY
Real Estate Contracting Officer

Enclosure: Notice of Renewal of Government Lease

Copy to: NAS Corpus Christi (PWD)

NOTICE OF RENEWAL OF GOVERNMENT LEASE
NAVFAC 7-11011/5(3-69)
Supersedes NAVDOCKS 211
S/N 0105-002-5600

1. FROM (Activity and Address) COMMANDER, NAVFAC SOUTHEAST BOX 30, BLDG. 903 RE1 JACKSONVILLE, FL 32212-0030							2. Lease No. N62467-87-RP-00006 File# LI-12222 MWO# 209603	
3. TO City of Harlingen Texas P.O. Box 2207 Harlingen, TX 78551								
4. You are hereby notified that under the provisions of the Government Lease described below, the United States of America elects to renew the said lease as the same may have been amended, and by these presents does renew, extend, and adopt the said lease and all the terms, conditions, and general provisions thereof for the period beginning <u>January 1, 2025</u> and ending <u>December 31, 2025</u> .								
5. REQUIRING ACTIVITY Commanding Officer Navy Operational Support Center, Harlingen 1300 Teege Avenue Harlingen, TX 77034								
6. DESCRIPTION OF LEASE (NUMBER, DATE, ACREAGE, LOCATION BY STREET NUMBER, CITY, COUNTY, AND STATE AS APPLICABLE) Lease contract N62467-87-RP-00006, dated December 15, 1986, for the Government's use of approximately 15.0 +/- acres of land located near Fair Park Blvd., Harlingen, Texas.								
7. NAME, POSITION AND TITLE MICHAEL P. BAILEY Real Estate Contracting Officer Naval Facilities Engineering Systems Command Southeast				SIGNATURE BAILEY.MICHAEL.P AUL.1066619040 Digitally signed by BAILEY.MICHAEL.PAUL.106661904 0 Date: 2024.11.13 16:02:12 -05'00' BY DIRECTION OF THE COMMANDER, NAVAL FACILITIES ENGINEERING SYSTEMS COMMAND ACTING UNDER THE DIRECTION OF THE SECRETARY OF THE NAVY			DATE 11/13/2024	
8. NAVY ACCOUNTING DATA								
PAYMENT TO BE MADE BY (Activity and address) No funds required. Annual Rent of \$1.00 receipt hereby acknowledged.							Amount \$0.00	
DOCUMENT NO.	APPROPRIATION SYMBOL & SUBHEAD	OBJECT CLASS	BUREAU CONTROL OR UIC	AUTH ACCTG ACTIVITY	TYPE	PROPERTY ACCTG ACTY	COST CODE	AMOUNT

70)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:	
Consideration and possible action to approve and authorize the attached listing of items for the second auction. Please see attached list.	
Prepared By: Christopher D. Torres, Director	
Brief Summary:	
Consideration and possible action to approve and authorize the attached listing of items for the second auction. (Public Works)	
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:	66
Comments:	
City Attorney's approval:	MA

No.	Auction Items	Department
1.	8 Brown Desks	Public Works
2.	4 Upright Wood Cabinets	Public Works
3.	8 Printers	Public Works
4.	1 Water Fountain	Public Works
5.	3 Lights Fixtures with Shelf	Public Works
6.	4 Office Chairs	Public Works
7.	1 Carry- On Organizer	Public Works
8.	2 Metal Shelves	Public Works
9.	3 Restroom Partitions (PW Restroom)	Public Works
10.	2 Gate Operators	Public Works
11.	1 Red Fan	Public Works
12.	Finance Office Partitions	Public Works
13.	Printer Plotter	Public Works
14.	3 Grey Desks	Public Works
15.	1 Table	Public Works
16.	1 Refrigerator	Public Works
17.	2009 Ford Focus (1FAHP35N29W155251) Unit #184	CDBG
18.	2022 Club Car Golf Cart Serial # BX2322/415-788	Golf
19.	2022 Club Car Golf Cart Serial #2322/415-790	Golf
20.	2022 Club Car Golf Cart Serial #2322/415-792	Golf
21.	2022 Club Car Golf Cart Serial #2322/415-794	Golf
22.	2022 Club Car Golf Cart Serial #2322/415-795	Golf
23.	2022 Club Car Golf Cart Serial #2322/415-796	Golf
24.	2022 Club Car Golf Cart Serial #2322/415-797	Golf
25.	2022 Club Car Golf Cart Serial #2322/415-798	Golf
26.	2022 Club Car Golf Cart Serial #2322/415-799	Golf
27.	2022 Club Car Golf Cart Serial #2322/415-800	Golf
28.	2010 Ford Pick-up VIN# 1FTMF1CWXAKB15796 (UNIT 263- Animal Control.)	Animal Control

7(K)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:
Consideration and possible action to approve the removal and disposal of approximately 13,000 square feet of Asbestos-containing textured material at Casa Del Sol and to award contract to R.L. Abatement, Inc. in the amount of \$109,000. Attachment (<i>Public Works</i>)
Prepared By: Christopher D. Torres, Director
Brief Summary:
Consideration and Possible Action to Approve the Removal and Disposal of Approximately 13,000 Square Feet of Asbestos-Containing Textured Material at Casa Del Sol. TIPS.CONTRACT# 210205
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
City Manager approval: <i>6/6</i>
Comments:
City Attorney's approval:

R.L. ABATEMENT, INC.

P.O. BOX 332

WESLACO, TEXAS 78599

TEL: 956-968-2265 FAX: 956-968-3301

Email: rlai@rlabatement.com



BID PROPOSAL

Proposal No: 24-3434

Date: 12-06-2024

TIPS Contract No.: 210205

Project Name: Casa Del Sol
221 E. Madison Ave.
Harlingen, Texas

Submit: Guillermo Rodriguez
Public Buildings Superintendent
City of Harlingen

RE: Asbestos Abatement

BID ITEM: Removal and disposal of approximately 13,000 sq. ft. of asbestos texture material throughout dance hall area. This material consists of 3 to 4 layers of ceiling texture.

Project Total Cost:..... \$109,800.00
(One Hundred Nine Thousand Eight Hundred Dollars and Zero Cents).

Note: *A 3% payment bond will be added to Total Project Cost if required by City or Owner.

*Project to be completed in 25 working days.

Exclusions:

- *Hiring an Asbestos Consultant who will need to prepare specifications, conduct air monitoring and clearance testing, if applicable.
- *Notification filing fees and State fees (ARU), which will be mailed directly to the owner, if applicable.
- *Build Back or Replacements
- *Payment / Performance Bonds
- *Contingency / Allowances
- *Disconnection / re-routing of any M.E.P.
- *Excess / Builder's Risk / Umbrella Liability, if applicable
- *Temporary water and electricity

R.L. ABATEMENT, INC. will provide labor, materials, equipment and insurances. Proposal is subject to change in accordance with the project's specifications as prepared by an asbestos consultant. All rules and regulations will be enforced according to the Texas Dept. of Health, OSHA, EPA, and any other state and federal regulations.

Submitted by: Roberto Valladares, Jr. Print Name: Roberto Valladares, Jr. Title: President Date: 12 / 06 / 2024

Acceptance of Proposal: The above price, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

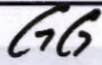
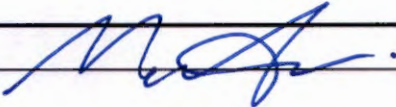
Signature: _____ Print Name: _____ Title: _____ Date: _____

Note: This proposal is good for 30 days from date submitted. If your firm is exempt from any and all taxes, please provide our office with a Tax Exempt Form. If Tax Exempt form is not received in our office, you will be charged 8.25% (taxes) on invoice

7(L)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Preservation Trust Fund. Attachment (<i>Special Projects Department</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The Texas Preservation Trust Fund (TPTF) is providing funds authorized by the Texas Treasury Safekeeping Trust Company. Investments are matching grants for the purpose of acquisition, survey, restoration, preservation, or planning and educational activities leading to the preservation of historic and archeological properties of the state of Texas.
The City of Harlingen will be required to match the grant award as this is a one-to-one match grant program. The maximum grant award is \$50,000. The TPFT award will allow the city to pay a consultant to complete a historic resources survey.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No):
*If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this Resolution.
City Manager approval: 
Comments:
City Attorney's approval: 

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE CITY OF HARLINGEN, TEXAS AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE TEXAS PRESERVATION TRUST FUND GRANT PROGRAM TO HIRE A CONSULTANT FOR A HISTORIC RESOURCE SURVEY.

WHEREAS, the Texas Preservation Trust Fund is soliciting applications under the Fiscal Year 2026 Texas Historical Commission Texas Preservation Trust Fund (TPTF) Grant Program; and,

WHEREAS, the funds for the TPTF for the purpose of acquisition, survey, restoration, preservation, or for the planning and educational activities leading to the preservation of historic and archeological properties of the state of Texas; and,

WHEREAS, the City of Harlingen plans to hire a consultant for the purposes of conducting a historic resource survey to discover historical properties within the City of Harlingen.

WHEREAS, the City of Harlingen City Commission agrees to provide a one-to-one matching award of the grant award up to \$50,000, should the city be awarded funds;

NOW, THEREFORE, BE IT RESOLVED that the City Commission authorizes the City Manager or designee to submit a grant application on behalf of the City of Harlingen, Texas.

CONSIDERED AND ADOPTED this ____ day of _____ **2025** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with Government Code Chapter 551, as amended.

Norma Sepulveda, Mayor

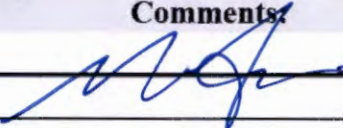
ATTEST:

Amanda C. Elizondo, City Secretary

7(m)

AGENDA ITEM EXECUTIVE SUMMARY

Meeting Date: **January 15, 2025**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas A&M Forest Service 2024 Community Forestry Grant Program. Attachment (<i>Special Projects Department</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
Texas A&M Forest Service's Urban and Community Forestry (U&CF) Program helps communities develop sustainable programs that provide Texans with healthy trees and forests. The Community Forestry Grant Program is designed to establish sound urban and community forestry principles that promote the protection and enhancement of urban and community forest ecosystems throughout the state of Texas. The city of Harlingen will apply to one of the following categories:
Category 2: Human Health Equity and Accessibility - The Human Health Equity and Accessibility category is dedicated to supporting projects that aim to improve the well-being of communities by strategically and equitably enhancing their access to greenspaces and promoting public health
Category 5: Tree Planting - The Tree Planting grant category is dedicated to supporting initiatives that increase urban and community tree canopy coverage, engage the community, and promote the many benefits of trees in built environments.
Category 6: Community Greening Transformations - The purpose of this category is to drive transformative placemaking projects in Texas' most vulnerable communities through the strategic expansion of tree canopies. Community forestry-based placemaking involves integrating trees and green spaces into planning to create vibrant, functional, and meaningful community spaces
There is a 50% match requirement; however, for category 6, there is a grant match waiver that the city is eligible for.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this Resolution.
City Manager approval: 
Comments:
City Attorney's approval: 

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE CITY OF HARLINGEN, TEXAS, AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE TEXAS A&M FOREST SERVICE UNDER THE 2024 COMMUNITY FORESTRY GRANT PROGRAM (CFG).

WHEREAS, the Texas A&M Forest Service is soliciting applications 2024 Community Forestry Grant Program, and,

WHEREAS, the funds for the Community Forestry Grant Program are awarded on a competitive basis to establish sound urban and community forestry principles that promote the protection and enhancement of urban and community forest ecosystems throughout the state of Texas and,

WHEREAS, the City of Harlingen has expressed interest in applying to the 2024 Community Forestry Grant Program and,

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

NOW, THEREFORE, BE IT RESOLVED that the City Commission authorizes the City Manager or designee to submit a grant application on behalf of the City of Harlingen, Texas.

CONSIDERED AND ADOPTED this ____ day of _____ **2025** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

7(n)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Health and Human Services – Zoonosis Control Animal-Friendly Spay and Neuter Grant Program for cats and dogs. Attachment (*Special Projects Department*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Harlingen Animal Shelter will use awarded grant funds to fund spay and neuter services owned by the public at no cost or low cost. The award amounts range from \$15,000 - \$30,000 with an award period of 1 year with an additional one-year renewal. There are no matching funds required.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of this Resolution.

City Manager approval:

GG

Comments:

City Attorney's approval:

MA

RESOLUTION No. 2025 - ____

A RESOLUTION OF THE CITY OF HARLINGEN, TEXAS, AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE TEXAS HEALTH AND HUMAN SERVICES UNDER THE 2025 ZOONOSIS CONTROL ANIMAL-FRIENDLY SPAY AND NEUTER GRANT PROGRAM FOR CATS AND DOGS TO PROVIDE SPAY/NEUTER SERVICES FOR CATS AND DOGS OWNED BY THE PUBLIC AT NO OR LOW COST.

WHEREAS, the Texas Health and Human Services is soliciting applications under the Zoonosis Control Animal Friendly Spay and Neuter Grant Program for Cats and Dogs; and,

WHEREAS, the funds for the Zoonosis Grant Program are awarded on a competitive basis to provide spay/neuter services; and,

WHEREAS, the City of Harlingen Animal Shelter has an expressed interest in applying for a Zoonosis Grant funding to aid with the cost of spay/neutering services; and,

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

NOW, THEREFORE, BE IT RESOLVED that the City Commission authorizes the City Manager or designee to submit a grant application on behalf of the City of Harlingen, Texas.

CONSIDERED AND ADOPTED this ____ day of _____ 2025 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

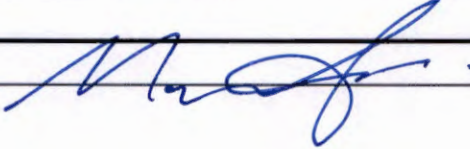
Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the City Manager to accept a grant award from the U.S. Department of Justice - FY24 Edward Byrne Memorial Justice Assistance Grant. Attachment (<i>Special Projects Department</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The U.S. Department of Justice has awarded the Harlingen Police Department \$17,929 to improve its field training program. This funding will facilitate the transition from a paper-based system to a mobile platform by providing Field Training Officer (FTO) software and iPads. These tools will be used by FTOs, police recruits, and supervisors to monitor each recruit's overall progress and the effectiveness of the training program.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this Resolution.
City Manager approval: 
Comments:
City Attorney's approval: 

RESOLUTION NO. 2025 - ____

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT A 2024 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FROM THE U.S. DEPARTMENT OF JUSTICE (USDOJ)

WHEREAS, the City of Harlingen finds it in the best interest of its residents and the region to accept funding from the Department of Justice – Bureau of Justice Assistance;

WHEREAS, the Harlingen Police Department has been awarded \$17,929.00 in funding from the U.S. Department of Justice under the FY24 Edward Byrne Memorial Justice Assistance Grant; and

WHEREAS, the awarded funds will enhance the Harlingen Police Department's Field training program by transitioning from a paper-based to a mobile training platform; and

WHEREAS, that the City Commission of the City of Harlingen, Texas, hereby authorizes the acceptance of the grant award from the United States Department of Justice; and

NOW, THEREFORE, BE IT RESOLVED the City of Harlingen, Texas, authorizes the City Manager, Mr. Gabriel Gonzalez, or his designee as the Authorized official on all matters related to the FY24 Edward Byrne Memorial Justice Assistance Grant

CONSIDERED AND ADOPTED this ____ day of ____, 2025, 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 the **TEXAS GOVERNMENT CODE, CHAPTER 551**.

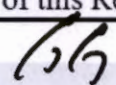
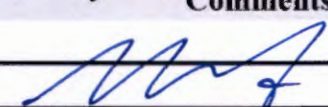
Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Commission on Environmental Quality – Governmental Alternative Fuel Fleet Grant Program. Attachment (<i>Special Projects Department</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The Texas Commission on Environmental Quality (TECQ) is currently accepting applications from entities operating a fleet of more than fifteen vehicles to fund the purchase or lease of new motor vehicles that operate primarily on alternative fuel. The funded vehicle must replace a vehicle of the same type with the highest total mileage, and the city must agree to destroy the vehicle(s) being replaced (and provide proof) within 90 days of receiving verification from TCEQ that the proof of new vehicle purchase has been approved. Grantees must operate the grant-funded vehicles and refueling infrastructure, equipment, or refueling services for three years once TCEQ has verified and approved the proof of purchase.
The application submission deadline is February 2, 2025, and the proof of purchase/request for reimbursement deadline is April 30, 2027.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No):
*If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this Resolution.
City Manager approval: 
Comments:
City Attorney's approval: 

RESOLUTION No. 2025 - ____

**A RESOLUTION OF THE CITY OF HARLINGEN, TEXAS,
AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT
APPLICATION TO THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY (TCEQ) UNDER THE
GOVERNMENTAL ALTERNATIVE FUEL FLEET GRANT PROGRAM.**

WHEREAS, the Texas Commission on Environmental Quality is soliciting applications under the Governmental Alternative Fuel Fleet Grant Program; and,

WHEREAS, the Governmental Alternative Fleet Fuel Grant Program funds are awarded on a competitive basis to support the purchase or lease of new motor vehicles that operate primarily on alternative fuel.; and,

WHEREAS, the City of Harlingen Public Works Department has an expressed interest in applying for grant funding to aid with the cost of purchasing vehicles that are originally manufactured to operate using alternative fuels.

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

NOW, THEREFORE, BE IT RESOLVED that the City Commission authorizes the City Manager or designee to submit a grant application on behalf of the City of Harlingen, Texas.

CONSIDERED AND ADOPTED this ____ day of _____ 2025 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

7(9)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to approve a request for street closures for the 2025 Jackson Street Market Days held on the first Saturday of each month from 9:00 a.m. to 3:00 p.m. Attachment (**Police**).

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

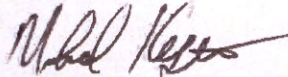
The North Commerce vehicular southbound traffic will be re-routed eastbound onto Monroe Avenue and the South Commerce vehicular northbound traffic will be re-routed eastbound onto Van Buren Ave.

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

Prepared By (Print Name): Michael Kester

Title: Chief of Police

Signature:



Brief Summary:

Alexis Riojas, Downtown Director is requesting streets closures for the 2025 Jackson Street Market Days on the following streets:

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

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

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

The following are the dates for 2025 event schedule:

	May 3, 2025	September 6, 2025
February 1, 2025	June 7, 2025	October 4, 2025
March 1, 2025	July 5, 2025	November 1, 2025
April 5, 2025	August 2, 2025	December 6, 2025

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

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

Funding (if applicable):

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

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

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

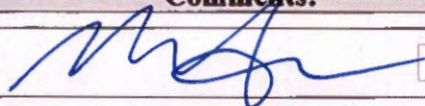
Staff Recommendation:

Staff recommends approval.

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

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

Comments:

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



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

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

TO: Chief of Police

DATE: 1/6/25

FROM: District Representative Benito Bravo #3412

RE: Street Closure Request for Market Days 2025 Calendar Year

Requestor: Harlingen Downtown Director Alexis Alaniz Riojas

This IDC is in reference to requests for Street Closures for the 2025 Market Days calendar year. Market Days is an old-fashioned, open-air market featuring antiques, collectibles, crafts, arts, food, and fresh produce. These events are hosted by the Harlingen Downtown Board and held every first Saturday of the month from 9:00 A.M. to 3:00 P.M.

The following dates are the scheduled events for the 2025 Market Days calendar year:

February 1, 2025	May 3, 2025	August 2, 2025	November 1, 2025
March 1, 2025	June 7, 2025	September 6, 2025	December 6, 2025
April 5, 2025	July 5, 2025	October 4, 2025	

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

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

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE	<i>Benito Bravo</i>	3412	01/06/2025
SERGEANT / SUPERVISOR	<i>Sgt. [Signature]</i>	2885	01/06/2025
COMMANDER / MANAGER	<i>[Signature]</i>	3022	1-7-25
DEPUTY CHIEF	<i>H. Seal</i>	1933	1-8-25
ASSISTANT CHIEF			
CHIEF OF POLICE	<i>Paul [Signature]</i>	2098	1-8-25



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

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

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

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

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

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE	<i>B. J. R.</i>	3412	01/06/2025
SERGEANT / SUPERVISOR			
COMMANDER / MANAGER			
DEPUTY CHIEF			
ASSISTANT CHIEF			
CHIEF OF POLICE			

The map displays a detour route around a barricade on N Commerce St. The route is marked with a red arrow, starting from W Madison Ave, heading south on N Commerce St, then east on W Monroe Ave, and finally south on N West St. The map includes various landmarks, businesses, and street names. A legend at the bottom indicates that blue bars represent 'Barricade' and red arrows represent 'Detour Route'.

Legend:

- Barricade
- Detour Route

Benito Bravo - HPD

From: Alexis Riojas
Sent: Friday, January 3, 2025 10:00 AM
To: Frances Pena - HPD; Soraida Martinez - HPD; Martha J. Soliz - HPD
Cc: Angela Anderson; Josh Ramirez; Norma L. Gonzalez; Mike Kester - HPD; Alfredo Alvear - HPD; Jose J. Lopez - HPD; Benito Bravo - HPD
Subject: Street Closure Request: Market Days (2025)
Attachments: Market Days Street Closures - 2024.pdf

Good morning,

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

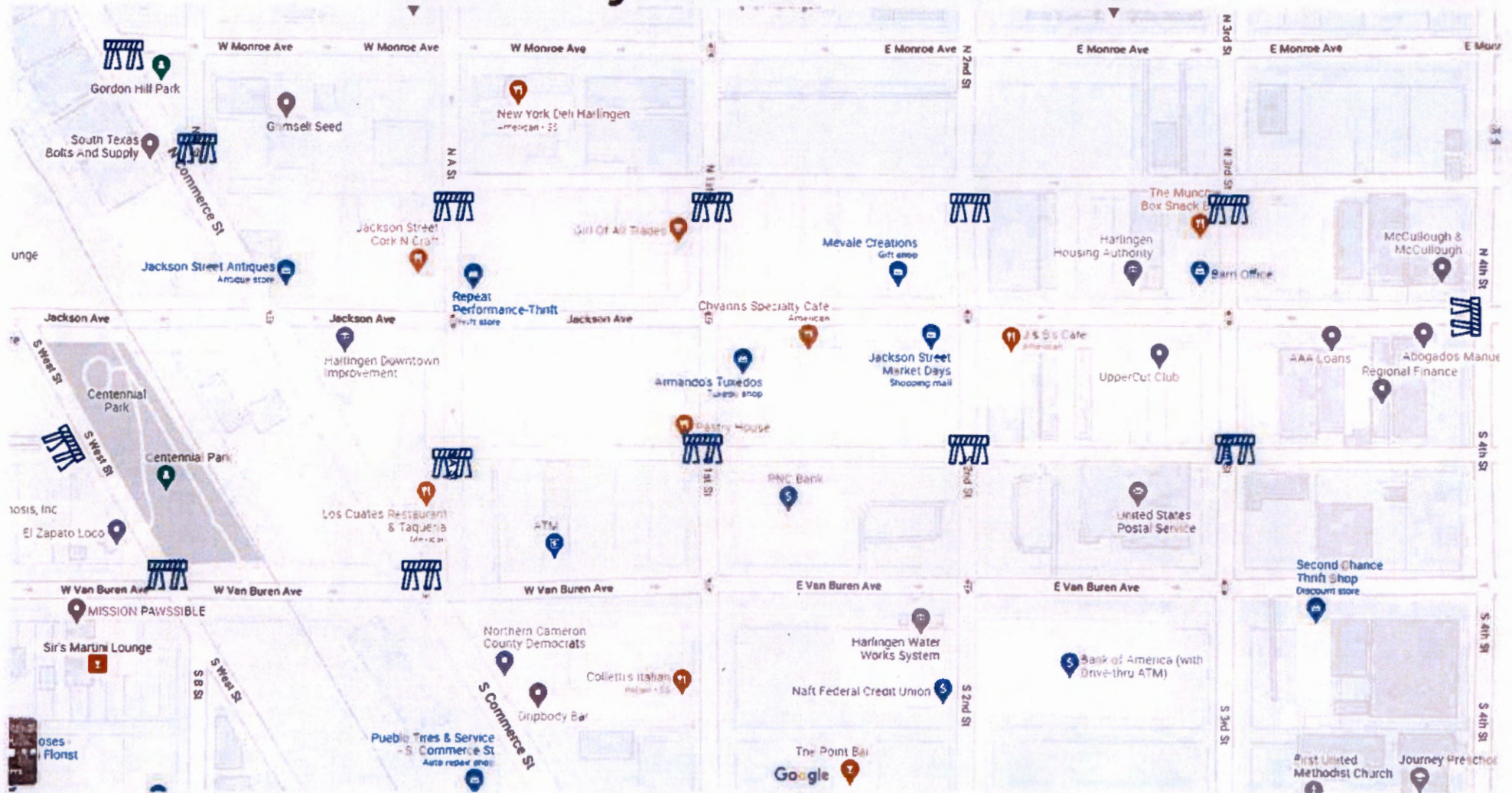
Following Dates:

February 1, 2025
March 1, 2025
April 5, 2025
May 3, 2025
June 7, 2025
July 5, 2025
August 2, 2025
September 6, 2025
October 4, 2025
November 1, 2025
December 6, 2025

Let me know if you have any questions.

Thank you,

2025 Market Days Street Closures - 2024



7(r)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to approve a request from the Harlingen Marathon Event Committee to close the streets / intersections mentioned in attachment Exhibit "A," on Sunday, February 9, 2025 from 6:30 a.m. to 2:00 p.m. for the Marathon Event. Attachment (**Police Dept.**)

Prepared By (Print Name): Michael Kester

Title: Chief of Police

Signature:



Brief Summary:

The Harlingen Marathon will be held on Sunday, February 9, 2025 from 6:30 a.m. to 2:00 p.m. and the specific roadways and intersections for closure are listed in attachment Exhibit "A." Approximately 100 barricades will be needed for the event.

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

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

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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

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

Comments:

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

EXHIBIT - A

1. Fair Park Boulevard from Teege Avenue to "J" Street (No thru traffic) "to include all entries and exits of the Harlingen Performing Arts Center, Municipal Auditorium and Casa De Amistad parking lots."

(Please provide DETOUR signs for Fair Park Boulevard, Teege Avenue, West Adams Avenue, North "K" Street, West Washington Avenue and "J" Street)

2. N. L Street/ W. Adams Avenue (4 barricades and Traffic Control Police Officer)
3. N. L Street / W. Jefferson Avenue (2 barricades)
4. N. L Street / W. Madison Avenue (2 barricades)
5. N. L Street / W. Monroe Avenue (2 barricades)
6. N. L Street/ W. Barton Avenue (1 barricade)
7. N. L Street / W. Jackson Avenue (2 barricades)
8. N. L ½ Street/ W. Jackson Avenue (2 barricades and Traffic Control Police Officer)
9. S. L ½ Street / W. Van Buren (2 barricades and Traffic Control Police Officer)
10. S. K Street / W. Van Buren (2 barricades)
11. S. J Street / W. Van Buren (2 barricades)
12. S. Eye Street/ W. Van Buren (2 barricades)
13. S. H Street I W. Van Buren (2 barricades)
14. S. G Street/ W. Van Buren (2 barricades)
15. S. F Street I W. Van Buren (2 barricades and Traffic Control Police Officer)
16. S. E Street/ W. Van Buren (2 barricades)
17. S. D Street/ W. Van Buren (2 barricades and Traffic Control Police Officer)
18. S. C Street/ W. Van Buren (2 barricades)
19. S. West Street/ W. Van Buren (2 barricades and Traffic Control Police Officer)
20. N. West Street I W. Jackson Avenue (2 barricades and Traffic Control Police Officer)
21. N. Commerce Street/ W. Jackson Avenue (6 barricades and 2 Traffic Control Police Officers)
22. Alleyways on A Street between W. Monroe and West Van Buren Avenue (4 barricades)
23. 1st Street/ Jackson Street (Traffic Control Police Officer)
24. Alleyways on 2nd Street between E. Monroe and E. Van Buren Avenue (4 barricades)
25. Alleyways on 3rd Street between E. Monroe and E. Van Buren Avenue (4 barricades)
26. Alleyways on 4th Street between E. Monroe and E. Van Buren Avenue (4 barricades)
27. Alleyways on 5th Street between E. Monroe and E. Van Buren Avenue (4 barricades)
28. 6th Street/ E. Jackson Avenue (4 barricades and 2 Traffic Control Police Officers)
29. N. 6th Street / E. Monroe A venue (1 barricade on west side)
30. N. 6th Street/ E. Madison Avenue (1 barricade on east side)
31. N. 6th Street/ E. Jefferson Avenue (2 barricades and 2 Traffic Control Police Officers)
32. 76 Drive / City Lake Trail Entrance/ Exit on crosswalk near Library Parking lot (2 barricades)
33. N. 3rd Street/ E. Washington Avenue (2 barricades and Traffic Control Police Officer)
34. E. Woodland Drive/ N. 5th Street (2 barricades)
35. Lake Drive/ N. 5th Street (2 barricades)
36. N. 5th Street/ E. Austin Avenue (2 barricades and Traffic Control Police Officer)
37. N. 7th Street/ E. Austin Avenue (2 barricades and Traffic Control Police Officer)
38. N. 9th Street /E. Austin Avenue (1 barricade)

39. N. 11th Street/ E. Austin Avenue (1 barricade)
40. Business 77 / E. Austin Avenue (6 barricades and 2 Traffic Control Police Officers)
41. N. 13th Street/ E. Austin Avenue (4 barricades and 2 Traffic Control Police Officers)
42. N. 13th Street/ E. Bowie Avenue (2 barricades on east side)
43. N. 13th Street/ E. Crockett Avenue (2 barricades on east side)
44. N. 13th Street/ E. Grimes Avenue (2 barricades and 2 Traffic Control Police Officer)
45. High Street/ E. Grimes Avenue (2 barricades)
46. Pendleton Park Entrance/ Exit on E. Grimes Avenue (2 barricades and Traffic Control Police)
47. Pendleton Park Entrance/ Exit on Morgan Boulevard (2 barricades and Traffic Control Police)
48. Warren Avenue / Morgan Boulevard (1 barricade)
49. Charles Avenue / Morgan Boulevard (1 barricade)
50. Rio Hondo Road/ Morgan Boulevard (4 barricades and 2 Traffic Control Police Officers)
51. 291h Street I Rio Hondo Road (2 barricades and Traffic Control Police Officer)
52. Oak Street (TSTC) / Loop 499 (4 barricades and Traffic Control Police Officer)
53. Phoenix Drive/ Morgan Boulevard (1 barricade and Traffic Control Police Officer)
54. Memorial Middle School Parking Lot Exit/ Rio Hondo Road (1 barricade and Traffic Control)
55. 131h Street/ Rio Hondo Road (2 barricades and Traffic Control Police Officer)
56. 131h Street/ Marshall Avenue (1 barricade on east side)

Visit Harlingen also requested to have Fair Park Blvd. from North "L" Street to North Wichita Avenue be barricaded for race setup (start/finish arch and miscellaneous items) on Saturday, February 8, 2025, starting at 12:00 p.m. and be re-opened on February 9, 2025, around 5:00 p.m. on Sunday once all items are removed from the roadway.

Delivery of barricades shall be on Friday, February 7, 2025, prior to 4:00 p.m. for the partial street closure for race setup, which will be happening on February 8, 2025.



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

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

TO: Chief of Police

DATE: 01/09/2025

FROM: Officer Jose J. Lopez #4950

RE: Street Closure Request – Harlingen Marathon 02/09/2025

Requestor: Edgar Serna – (City of Harlingen) Visit Harlingen Event Manager

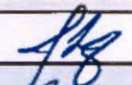
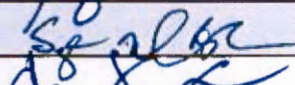
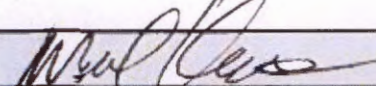
Event Date: Sunday February 9, 2025

Event Time: 6:30AM – 2:00PM

The City of Harlingen is hosting the Harlingen Marathon and is requesting a street closure.

The Harlingen Marathon is scheduled to start on February 9th, 2025, at 6:30 A.M and will officially stop at approximately 2:00 P.M. There will be emergency vehicles, pop-up tents, vendors, stage, etc. stationed throughout the entire route. The following streets are requested to be temporarily closed throughout the duration of the event:

1. **Fair Park Boulevard from Teege Avenue to J Street (No thru traffic) "to include all entries and exits of the Harlingen Performing Arts Center, Municipal Auditorium, and Casa De Amistad parking lots"**
(Please provide Detour signs for Fair Park Boulevard, Teege Avenue, W. Adams Avenue, N. K Street, W. Washington Avenue, and J Street)
2. N. L Street / W. Adams Avenue (4 barricades and Traffic Control Police Officer)
3. N. L Street / W. Jefferson Avenue (2 barricades)
4. N. L Street / W. Madison Avenue (2 barricades)
5. N. L Street / W. Monroe Avenue (2 barricades)
6. N. L Street / W. Barton Avenue (1 barricade)
7. N. L Street / W. Jackson Avenue (2 barricades)

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		4950	01/09/25
SERGEANT / SUPERVISOR		2885	01/09/25
COMMANDER / MANAGER		3022	1-9-25
DEPUTY CHIEF		1933	1-9-25
ASSISTANT CHIEF			
CHIEF OF POLICE		2088	1-9-25



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

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

8. N. L ½ Street / W. Jackson Avenue (2 barricades and Traffic Control Police Officer)
9. S. L ½ Street / W. Van Buren (2 barricades and Traffic Control Police Officer)
10. S. K Street / W. Van Buren (2 barricades)
11. S. J Street / W. Van Buren (2 barricades)
12. S. Eye Street / W. Van Buren (2 barricades)
13. S. H Street / W. Van Buren (2 barricades)
14. S. G Street / W. Van Buren (2 barricades)
15. S. F Street / W. Van Buren (2 barricades and Traffic Control Police Officer)
16. S. E Street / W. Van Buren (2 barricades)
17. S. D Street / W. Van Buren (2 barricades and Traffic Control Police Officer)
18. S. C Street / W. Van Buren (2 barricades)
19. S. West Street / W. Van Buren (2 barricades and Traffic Control Police Officer)
20. N. West Street / W. Jackson Avenue (2 barricades and Traffic Control Police Officer)
21. N. Commerce Street / W. Jackson Avenue (6 barricades and 2 Traffic Control Police Officers)
22. Alleyways of A Street between W. Monroe and West Van Buren Avenue (4 barricades)
23. 1st Street / Jackson Street (Traffic Control Police Officer)
24. Alleyways of 2nd Street between E. Monroe and E. Van Buren Avenue (4 barricades)
25. Alleyways of 3rd Street between E. Monroe and E. Van Buren Avenue (4 barricades)
26. Alleyways of 4th Street between E. Monroe and E. Van Buren Avenue (4 barricades)
27. Alleyways of 5th Street between E. Monroe and E. Van Buren Avenue (4 barricades)
28. 6th Street / E. Jackson Avenue (4 barricades and 2 Traffic Control Police Officers)
29. N. 6th Street / E. Monroe Avenue (1 barricade on west side)
30. N. 6th Street / E. Madison Avenue (1 barricade on east side)
31. N. 6th Street / E. Jefferson Avenue (2 barricades and 2 Traffic Control Police Officers)
32. 76 Drive / City Lake Trail Entrance / Exit on crosswalk near Library Parking lot (2 barricades)
33. N. 3rd Street / E. Washington Avenue (2 barricades and Traffic Control Police Officer)
34. E. Woodland Drive / N. 5th Street (2 barricades)
35. Lake Drive / N. 5th Street (2 barricades)
36. N. 5th Street / E. Austin Avenue (2 barricades and Traffic Control Police Officer)
37. N. 7th Street / E. Austin Avenue (2 barricades and Traffic Control Police Officer)

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		4950	01/09/25
SERGEANT / SUPERVISOR		2885	01/09/25
COMMANDER / MANAGER		3022	1-7-25
DEPUTY CHIEF		1933	1-9-25
ASSISTANT CHIEF			
CHIEF OF POLICE			



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

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

- 38. N. 9th Street / E. Austin Avenue (1 barricade)
- 39. N. 11th Street / E. Austin Avenue (1 barricade)
- 40. Business 77 / E. Austin Avenue (6 barricades and 2 Traffic Control Police Officers)
- 41. N. 13th Street / E. Austin Avenue (4 barricades and 2 Traffic Control Police Officers)
- 42. N. 13th Street / E. Bowie Avenue (2 barricades on east side)
- 43. N. 13th Street / E. Crockett Avenue (2 barricades on east side)
- 44. N. 13th Street / E. Grimes Avenue (2 barricades and 2 Traffic Control Police Officer)
- 45. High Street / E. Grimes Avenue (2 barricades)
- 46. Pendleton Park Entrance / Exit on E. Grimes Avenue (2 barricades and Traffic Control Police)
- 47. Pendleton Park Entrance / Exit on Morgan Boulevard (2 barricades and Traffic Control Police)
- 48. Warren Avenue / Morgan Boulevard (1 barricade)
- 49. Charles Avenue / Morgan Boulevard (1 barricade)
- 50. Rio Hondo Road / Morgan Boulevard (4 barricades and 2 Traffic Control Police Officers)
- 51. 29th Street / Rio Hondo Road (2 barricades and Traffic Control Police Officer)
- 52. Oak Street (TSTC) / Loop 499 (4 barricades and Traffic Control Police Officer)
- 53. Phoenix Drive / Morgan Boulevard (1 barricade and Traffic Control Police Officer)
- 54. Memorial Middle School Parking Lot Exit / Rio Hondo Road (1 barricade and Traffic Control)
- 55. 13th Street / Rio Hondo Road (2 barricades and Traffic Control Police Officer)
- 56. 13th Street / Marshall Avenue (1 barricade on east side)

This street closure is to ensure the safety of the attending public and participants. This temporary closure may affect traffic flow in the general area.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		4950	01/09/25
SERGEANT / SUPERVISOR		2855	01/09/25
COMMANDER / MANAGER		3022	1-9-25
DEPUTY CHIEF		1933	1-9-25
ASSISTANT CHIEF			
CHIEF OF POLICE			



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

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

Visit Harlingen is requesting to have Fair Park Blvd from N L St to N. Wichita Ave be barricaded for race setup (start/finish arch and misc. items) on Saturday February 8th, 2025, starting at 12:00 PM and to remained closed until February 9th, 2025, at around 5:00 PM on Sunday once all items are removed from the roadway when the marathon is completed.

- **Delivery on Friday February 7th, 2025, prior to 4:00 PM for the partial street closure for race setup which will be happening on February 8th, 2025.**

If approved, barricades are to be set up by the City of Harlingen Street Department prior to 4:00 A.M on Sunday, February 9th, 2025, for the entire race route.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		1150	01/09/25
SERGEANT / SUPERVISOR		2852	01/09/25
COMMANDER / MANAGER		3022	1-9-25
DEPUTY CHIEF		1933	1.9.25
ASSISTANT CHIEF			
CHIEF OF POLICE			



To: City of Harlingen Police Department
From: Visit Harlingen

Re: Street Closure Request – Harlingen Marathon February 9, 2025

The City of Harlingen is hosting the Harlingen Marathon and is requesting a street closure.

The Harlingen Marathon is scheduled to start on February 9, 2025 at 6:30 A.M. and will officially stop at approximately 2:00 P.M. There will be emergency vehicles, pop-up tents, and vendors, stationed throughout the entire route. The following streets are requested to be temporarily closed throughout the event:

1. Fair Park Boulevard from Teege Avenue to J Street (No through traffic) "to include all entries and exits of the Harlingen Performing Arts Center, Municipal Auditorium, and Casa De Amistad parking lots. **The closure for Fair Park Boulevard will need to close on February 8th beginning at 12 P.M. to setup Start/Finish arch.**

(Please provide Detour signs for Fair Park Boulevard, Teege Avenue, W. Adams Avenue, N. K Street,

· W. Washington Avenue, and J Street)

· 2. N. L Street / W. Adams Avenue (4 barricades and Traffic Control Police Officer)

· 3. N. L Street / W. Jefferson Avenue (2 barricades)

· 4. N. L Street / W. Madison Avenue (2 barricades)

· 5. N. L Street / W. Monroe Avenue (2 barricades)

· 6. N. L Street / W. Barton Avenue (1 barricade)

· 7. N. L Street / W. Jackson Avenue (2 barricades)

· 8. N. L ½ Street / W. Jackson Avenue (2 barricades and Traffic Control Police Officer)

· 9. S. L ½ Street / W. Van Buren (2 barricades and Traffic Control Police Officer)

· 10. S. K Street / W. Van Buren (2 barricades)

· 11. S. J Street / W. Van Buren (2 barricades)

· 12. S. Eye Street / W. Van Buren (2 barricades)

· 13. S. H Street / W. Van Buren (2 barricades)

Visit
HARLINGEN
TEXAS



HARLINGEN MARATHON

26.2, 13.1, RELAY & 5K

A RUN FOR EVERYONE



**FEB 09
2025**

LON C HILL PARK
1217 FAIR PARK BLVD,
HARLINGEN, TX 78550

BOSTON MARATHON QUALIFIER

WWW.MYHARLINGENMARATHON.COM

SATURDAY FEBRUARY 8TH PARTIAL STREET CLOSURE FOR START/FINISH SETUP



9(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Public hearing for a rezoning request from Not-Designated ("N") District to General Retail ("GR") District for a 2.273-acre tract of land out of the extreme northwest corner of Block 176, Adams Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive. Applicant: AEC Engineering c/o LS Contractors Specialist, Inc. Attachment (***Planning & Development***)

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- December 11, 2024 – Application for rezoning submitted to the City (**ATTACHMENT I**).
- December 21, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- January 8, 2025 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- January 15, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- February 5, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Not Designated, ("N") District to General Retail ("GR") District to allow for a new Dollar General Store to be built on the property. (**ATTACHMENT I**).
- The subject property is currently vacant. It has 300.00 feet of frontage on Palis Drive and 300.00 feet of frontage on Bass Boulevard. Bass Boulevard is a two lane, approximately 40-foot-wide paved street without curb and gutter. (**ATTACHMENT III**).
- The surrounding properties are in the County. Surrounding land uses include vacant farmland to the south and east, single-family residences to the north, and B & V Welding and single-family houses to the west. (**ATTACHMENT IV**)
- The Future Land Use Plan component of the City of Harlingen's One Vision One Harlingen Comprehensive Plan shows this area as Low Density Residential. The commercial zoning request is not generally consistent with the Future Land Use Plan; however, staff believes this area is going through a period of transition due to Bass Boulevard being a State Highway. The high levels of traffic make the land with

frontage on Bass Boulevard conducive to commercial development.
(ATTACHMENT VI).

- To the present, the Planning and Zoning Department has received no phone calls in opposition from the surrounding property owners regarding the proposed request. Staff did not mail out any notices, since the surrounding properties outside City Limits.

Funding (if applicable):

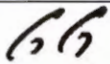
Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

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

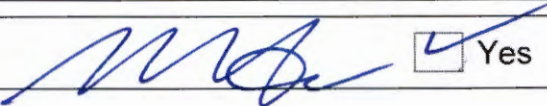
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the rezoning request.

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

Comments:

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

PLANNING AND ZONING COMMISSION

January 8, 2025

Public hearing and take action to consider a request to rezone from Not-Designated (“N”) District to General Retail (“GR”) District for a 2.273-acre tract of land, more or less, out of the extreme northwest corner of Block 176, Adams Gardens Subdivision “C”, located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive. Applicant: AEC Engineering c/o LS Contractors Specialist, Inc.

City Planner, Soledad A. Núñez presented the following information related the request to rezone, as follows:

- A copy of the Legal Notice Map was presented. Ms. Núñez pointed out that there is nothing inside of the city limits in this area.
- The subject property has three hundred (300) feet of frontage on Palis Drive and three hundred (300) feet of frontage on Bass Boulevard.
- An Aerial View of the property was presented. Ms. Núñez identified the section that is being asked to be rezoned.
- Ms. Núñez stated that the City annexed this property and the right-of-way for Bass Boulevard into the City Limit line late last year.
- The surrounding properties are in the County, as previously mentioned. Surrounding land uses are vacant farmland, B&B Welding on the end to the west, and single-family residences to the north and west. Down south there is also a single-family home with vacant land as well.
- The Future Land Use Plan shows this area as low-density residential. Ms. Núñez stated that while the rezoning request is not consistent with the Future Land Use Plan, Staff does believe that because it has frontage on FM 800, which is a State Highway, it is conducive to the commercial development that will be here eventually.
- Ms. Núñez reiterated that as mentioned, Staff did not mail out any notices since all the surrounding properties are outside the City Limits.
- A copy of the survey with the metes and bounds description of the property was presented.
- Staff does recommend approval of the rezoning request.

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

The Public Hearing was opened. The Chrm. asked if there was anyone on this item who would like to speak to please approach the podium. Upon seeing none, the Public Hearing was closed.

Chairman Consiglio asked if there were any questions for Staff, or if there was a motion. Cmr. Perez made the motion to approve. Cmr. Villarreal seconded the motion. The Chrm. asked if there was a need for discussion and upon hearing none moved the item to a vote. The motion passed unanimously.

Mr. Cervantes added that on this property, there will be a Dollar General store under construction in a few months. The Chrm. said he thought he recalled that. Mr. Cervantes confirmed there had been an annexation and now it was the rezoning.

9(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Public hearing for a rezoning request from Light Industry ("LI") District to Planned Development ("PD") District to allow 32 ft. wide streets with 50 ft. right-of-way and smaller lot sizes for a 393-lot single family development on a property bearing a legal description for a 73.69 acre tract of land, more or less, out of and forming a part of Blocks 28, 36 and 37, Palmetal Subdivision, located along the south side of Grimes Avenue approximately 6,500 feet east of Loop 499. Applicant: Francisco Arriaga, c/o Solid Development Inc. Attachment (**Planning & Development**)

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- June 11, 2024 – Application for a rezoning submitted to the City. (**ATTACHMENT I-III**). Application deemed incomplete pending submittal of an approved drainage report.
- September 11, 2024- Applicant submits drainage report.
- December 10, 2024- Drainage report approved by the Engineering Department.
- December 27, 2024- In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- December 28, 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.
- January 8, 2025- Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- January 15, 2025– Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- February 12, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Francisco Arriaga, the applicant and property owner, is requesting to rezone the subject property from Light Industry ("LI") District to Planned Development ("PD") District to allow for a single-family residential development with smaller lot sizes and with 32-foot wide paved streets with 50 feet of right-of-way. (**ATTACHMENT II**).
- The irregularly shaped property is currently vacant. It has 268.5 feet of frontage on Grimes Avenue and a depth of 2,590.76 feet at its longest point. Grimes Avenue is classified as a major collector street, and is currently a two lane 37-foot wide

paved street without curb and gutter. There is a project in a partnership with Cameron County to widen and improve the roadway from Loop 499 to FM 509. **(ATTACHMENT III).**

- According to the Planned Development ("PD") site plan, the developer is proposing a 393-lot single family residential development with 32-foot wide paved streets with 50 feet of right-of-way. All lots will front an interior public street. The lots vary in size from 5,000 square feet to 9,652 square feet. All lots meet the minimum 50-foot lot frontage requirement and most of the lots meet the minimum 100-foot lot depth requirement; however, the Code of Ordinances requires the 6,000 square feet minimum lot areas. Eighty-nine percent of the lots do not meet the lot area requirements, and seven percent of the lots do not meet the 100-foot lot depth requirement. The setbacks will be 18 feet in the front setback, 15 feet if it is along a cul-de-sac, 3 feet on the sides, 5 feet if it is on a corner side, and 10 feet in the rear setback. **(ATTACHMENT IV).**
- The subject property is not located within the Airport Overlay Zoning District.
- The surrounding properties are zoned Light Industry ("LI") District to the north and south, and Residential, Multi-Family ("M-2") and Light Industry ("LI") to the west. East of the property there is an irrigation canal. Further east, the north part along the south side of Grimes Avenue is outside the city limits and the south part is inside the city limits. **(ATTACHMENT V).** The surrounding land uses consist of vacant land in agriculture use to the north and south, single family residential houses to the northeast, and vacant land in agriculture use and a multi-family residential subdivision to the west. **(ATTACHMENT VI AND VII).**
- The request was reviewed and approved by the Building Inspections, Engineering and Fire Prevention Departments subject to complying with all applicable codes. The Director of Aviation and the Economic Development Director had also previously submitted a letter reporting no objection to the proposed development. **(ATTACHMENT VIII-XII).**
- On August 7, 2024, the City Commission approved the amendment of the Future Land Use Plan for the subject property from Industrial land use to low density residential land use. Therefore, the request is consistent with Future Land Use Plan and generally consistent with the surrounding land use on the south side of Grimes Road, Staff also feels the subject property may be in transition with the Residential, Multi-Family ("M-2") zoning and Multi-family Development to the west of the subject property. **(ATTACHMENT XIII).**
- To the present, the Planning and Development Department has not received any calls from a surrounding property owners in opposition to the requested rezoning.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of the rezoning request.

City Manager's approval:



☐ Yes

☐ No

☒ N/A

Comments:

City Attorney's approval:



☒ Yes

☐ No

☐ N/A

PLANNING AND ZONING COMMISSION

January 8, 2025

Public hearing and take action to consider a request to rezone from Light Industry ("LI") District to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of Right-of-Way and smaller lot sizes for a 393-lot single-family development on a property bearing a legal description of 73.69 acres of land, more or less, out of and forming a part of Block 28, 36, and 37, Palmetal Subdivision, located along the south side of Grimes Avenue, approximately 6,500 feet east of Loop 499. Applicant: Francisco Arriaga c/o Solid Development, INC

Mr. Joel Olivo, Assistant Planning and Zoning Director, presented the following information related to the request to rezone, as follows:

- The Legal Notice Map for the subject property was presented. It is on the south side of Grimes Avenue, about six thousand, five hundred (6,500) feet east of Loop 499.
- The subject property has about two hundred and sixty-eight (268) feet of frontage on Grimes Avenue and a depth of about two thousand, five hundred ninety (2,590) feet at its longest point.
- The site plan that was submitted by the applicant was presented. The developer is proposing a single-family residential development. Most of the lot sizes vary in size from 5,000 to the largest being 9,652 square feet. Mr. Olivo proceeded to point out the placement of the various sized lots, with the largest being at the corners.
- The setbacks being proposed for the development consist of eighteen (18) feet in the front, fifteen (15) feet if it is in the cul-de-sac, three (3) feet on the side with the corner-side being five (5) feet and the rear would be ten (10) feet.
- An Aerial View of the subject property was presented. Mr. Olivo proceeded to describe the area. There is an industrial trade center to the northwest, some vacant land and some multi-family use to the west.
- Mr. Olivo stated that there was currently a roadway project in partnership with Cameron County to widen Grimes Road from a thirty-seven (37) wide street to a forty-eight (48) wide street with four (4) lanes without curb and gutter. The area is under construction at the present moment.
- The Future Land Use Map for the area shows it as low-density residential. Mr. Olivo reminded the Board that last year, back in August, the applicant submitted a request to amend the Future Land Use Plan from Industrial to Low-Density Residential. It was approved by the City Commission back in August. The proposed subdivision is low-density residential, which is consistent with the Future Land Use Plan and is also consistent with the multi-family zoning to the west of the subject property.
- Surrounding property owners within a 200-foot radius were notified. No objections were received. Nine (9) property owners received a notification.
- The Building Department and the Fire Department approved the request. The Engineering Department also approved the drainage report for the proposed project.
- Mr. Olivo noted there were also two (2) letters of support. One from the Director for Aviation and the CEO of the Harlingen Economic Development Corporation, both recommending approval of the development. The letters of support were presented during the comprehensive plan amendment last year.
- Staff is recommending approval of the request.

- Mr. Olivo made himself available for any questions. He stated that the applicant was also present for questions.

Chairman Consiglio asked about the proximity of the subject property to Loop 499 in miles. He was told it was about a mile and a half. He said it sounded further from the loop and just wanted to make that clear.

The Chairman asked if there were any questions for Staff on this item. Upon hearing none, he proceeded to the Public Hearing.

The Public Hearing was opened. The Chrm. asked if there was anyone on this item who would like to speak for or against and asked them to please approach the podium. Upon seeing none, the Public Hearing was closed.

Chairman Consiglio asked if there were any questions for the applicant or Staff, or if there was a motion. Cmr. Perez made the motion to approve. Cmr. Cruz-Velázquez seconded the motion. The Chrm. asked if there was a need for discussion and upon hearing none moved the item to a vote. The motion passed unanimously.

9(c)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Public hearing for the voluntary annexation of a 479.25-acre tract of land out of Survey 279, and all the existing right-of-way from the three county roads adjacent to the subject property also known as Bob Youker Street from Rio Hondo Road to Woodall Avenue, Woodall Avenue from Bob Youker Street west 764.44 feet and the unnamed County right-of-way along the east side of the subject property, located along the north side of Rio Hondo Road approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen. Attachment (***Planning & Development***)

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- December 21, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- January 8, 2025 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- January 15, 2025 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- February 5, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The property owner is the City of Harlingen and is known as the Aerotropolis property. The property has frontage along Rio Hondo Road and FM 509 cuts through the middle of the property in a north-south direction.
- Water and sewer services for this property will be provided by the Harlingen Waterworks System.
- 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 annexed a total of 106.21 acres. 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:

GB

☐

Yes

☐

No

☒

N/A

Comments:

City Attorney's approval:

MS

☒

Yes

☐

No

☐

N/A

PLANNING AND ZONING COMMISSION

January 8, 2025

Public hearing and take action to consider a request for the voluntary annexation of a 479.25-acre tract of land out of Survey 279, located on the north side of Rio Hondo Road approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen

Planning and Development Director, Xavier Cervantes, presented the consideration for a voluntary annexation to the Board, as follows:

- Mr. Cervantes explained that this a property that the City of Harlingen purchased sometime back for economic development purposes. Since the City owns the property and is going to be developed it in the future, it was decided to pursue annexation into the City Limit. That way, when the development is ready to come in, the property is already inside the City.
- There are four hundred and seventy-nine (479) acres of land.
- The property is near the airport as seen on the Annexation Map. It is just north of Rio Hondo Road. State Highway FM 509 crosses through the property and this is the way it was purchased.
- Mr. Cervantes said that it came to light this morning that if a property adjacent to a County Road is annexed, the County roadway must be annexed too as per State Law. Mr. Cervantes referred to the amended ordinance before the Commissioners. He said he wanted the language to be clear that the City would also be annexing Bob Youker Road, from Rio Hondo to Woodall Avenue, the portion of Woodall Avenue adjacent to the property, and then the County roadway on the east side. Mr. Cervantes also pointed out that there is an additional exhibit added to the ordinance to make it clear that the annexation of these County roads will occur with the annexation of the property.

Chairman Consiglio thanked Mr. Cervantes for his presentation. Asked about the ownership of the property and asked for confirmation that it was not owned by the Airport. The Chrm. said he was questioning this because he said he knew there was a master plan for the aerotropolis property. Mr. Cervantes confirmed that the property belongs to the City and said the deed shows the City of Harlingen as the owner.

Commissioner Sanchez addressed the Chairman, stating for the record that he would abstain from the discussion and vote on this item since he is a County employee.

Cmr. Flores asked if this was the area where all the green metal buildings are located. Mr. Cervantes confirmed the location of the metal buildings and said it was for the aviation facilities. He pointed these out on the map.

Mr. Cervantes took this opportunity to point out that the section of Bob Youker Road and Woodall Avenue is paved with curb and gutter and drainage and is in great condition. He said we would be annexing a County road that is already improved.

Cmr. Flores asked if all the infrastructure was already there such as the drainage. Mr. Cervantes said yes and further explained that the section of Bob Youker Road north of the Rio Hondo Road was improved sometime back. He said it was like a brand-new street and that there were no concerns with annexing the County road because it was already improved and in great condition.

Chairman Consiglio asked if there were any questions for Staff. Mr. Cervantes raised his hand. The Chrm. proceeded to the Public Hearing on the item.

The Public Hearing was opened. Upon hearing and seeing none, the Public Hearing was closed.

Chairman Consiglio asked if there was a motion. Cmr. Villarreal made the motion to approve. Cmr. Cruz-Velázquez seconded the motion. The Chrm. asked if there was a need for discussion and upon hearing none moved the item to a vote. The motion passed with one (1) abstention.

10(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Not-Designated ("N") District to General Retail ("GR") District for a 2.273-acre tract of land out of the extreme northwest corner of Block 176, Adams Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive. Applicant: AEC Engineering c/o LS Contractors Specialist, Inc. Attachment **(Planning & Development)**

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- December 11, 2024 – Application for rezoning submitted to the City **(ATTACHMENT I)**.
- December 21, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- January 8, 2025 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- January 15, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- February 5, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Not Designated, ("N") District to General Retail ("GR") District to allow for a new Dollar General Store to be built on the property. **(ATTACHMENT I)**.
- The subject property is currently vacant. It has 300.00 feet of frontage on Palis Drive and 300.00 feet of frontage on Bass Boulevard. Bass Boulevard is a two lane, approximately 40-foot-wide paved street without curb and gutter. **(ATTACHMENT III)**.
- The surrounding properties are in the County. Surrounding land uses include vacant farmland to the south and east, single-family residences to the north, and B & V Welding and single-family houses to the west. **(ATTACHMENT IV)**
- The Future Land Use Plan component of the City of Harlingen's One Vision One Harlingen Comprehensive Plan shows this area as Low Density Residential. The commercial zoning request is not generally consistent with the Future Land Use Plan; however, staff believes this area is going through a period of transition due to

Bass Boulevard being a State Highway. The high levels of traffic make the land with frontage on Bass Boulevard conducive to commercial development. (ATTACHMENT VI).

- To the present, the Planning and Zoning Department has received no phone calls in opposition from the surrounding property owners regarding the proposed request. Staff did not mail out any notices, since the surrounding properties outside City Limits.

Funding (if applicable):

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

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the rezoning request.

City Manager's approval:

GG

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

[Signature]

☒ Yes ☐ No ☐ N/A

Attachment I - Application

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address _____ Nearest Intersection SE corner of Bass Blvd. & Palis Drive
(Proposed) Subdivision Name DG Bass Subdivision Lot 1 Block 1
Existing Zoning Designation _____ Future Land Use Plan Designation General Retail District (Commercial)

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Jorge De Zenea (AEC Engineering) Phone 956-289-9654 FAX _____
Email Address (for project correspondence only): george@aecengineering.net
Mailing Address P.O. Box 480 City Edinburg State TX Zip 78540
Property Owner LS Contractors Specialist, Inc. Phone 956-655-1135 FAX _____
Email Address (for project correspondence only): _____
Mailing Address 910 Bighorn Drive City Edinburg State TX Zip 78542

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

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

Please provide a basic description of the proposed project:

Dollar General store, consisting of new metal building and concrete parking lot with 6" raised curbing. On site detention
will be provided.

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

Applicant's Signature: [Signature] Date: 12/11/2024

Property Owner(s) Signature: Teodoro Snaveley Date: 12/11/2024

Accepted by: _____ Date: _____

Attachment I - Application

RE-ZONING REQUEST SUBMITTAL CHECKLIST

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

Complete

- ☐ A metes and bounds description or survey plat of the tract(s) in which the re-zoning is requested.
 - ☐ A written statement describing the proposed use(s) of the subject property (can be provided on Master Application).
 - ☐ Any other information (elevation drawings, pictures, etc.) in support of the subject request.
-
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
 - I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
 - I understand that while all requirements for the submittal of a re-zoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner: LS Contractors Specialist, Inc. Date 12/11/2024

Owner Address: 910 Bighorn Drive, Edinburg, Texas 78542

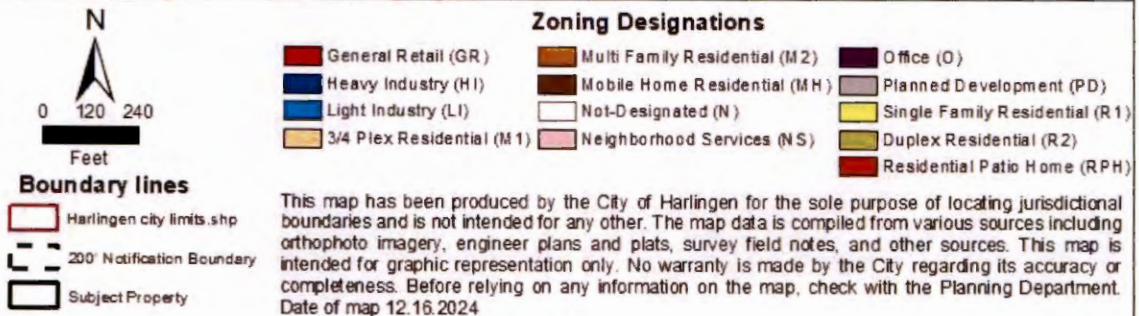
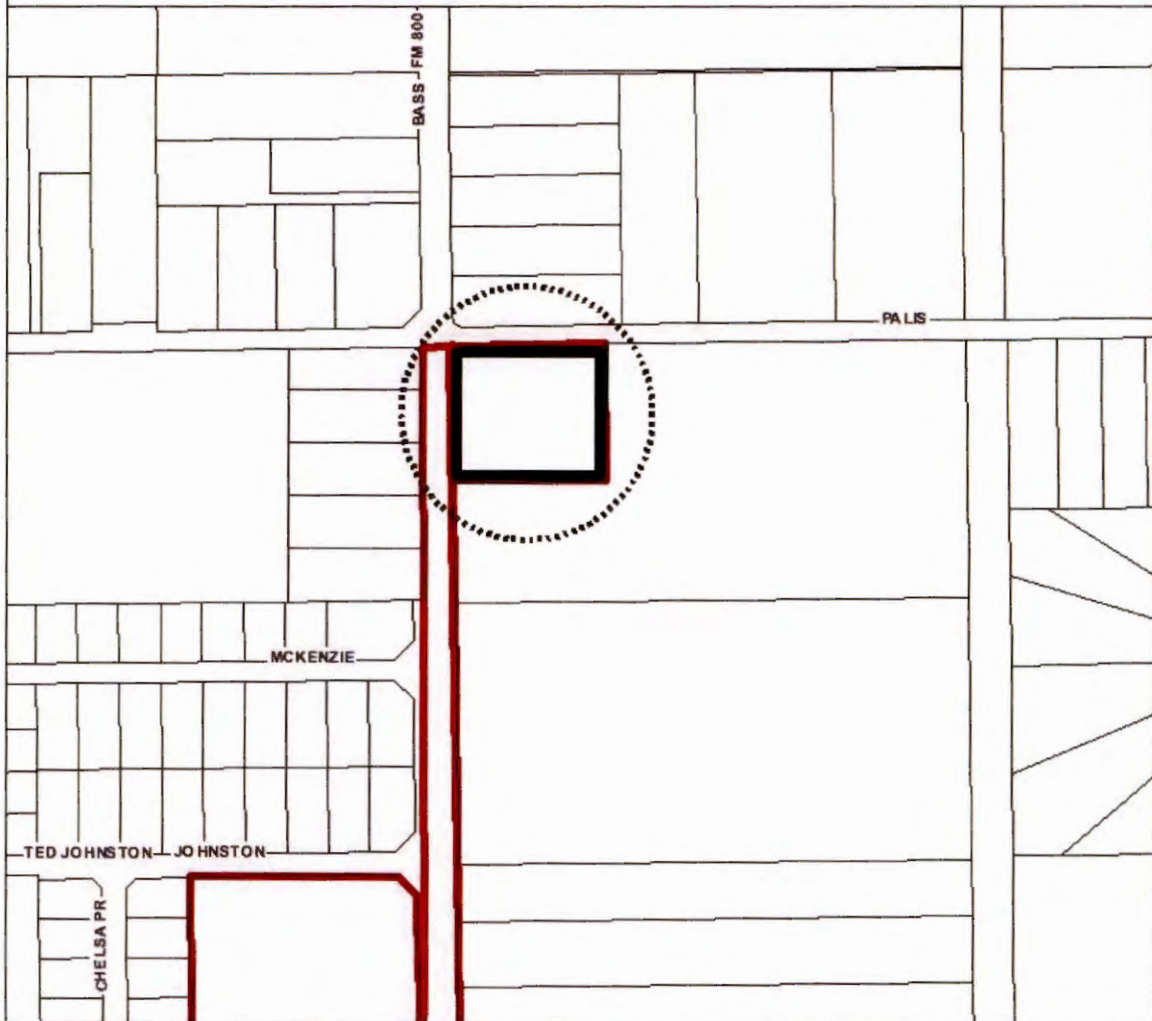
Phone/Fax: 956-655-1135

Signature: Teodoro Snavely

Attachment II



Request to rezone from Not-Designated ("N") District to General Retail ("GR") District for a 2.273-acre tract of land, more or less, out of the extreme northwest corner of Block 176, Adams Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive. Applicant: AEC Engineering c/o LS Contractors Specialist, Inc.



Attachment III - Survey

PLAT OF SURVEY FOR THE PURPOSE OF ONE ACRES BEING SQUARE FEET IN BASE SQUARES (79,200) & PALM DRIVE R.O.W. RIGHT OF WAY

2.23 ACRES BEING AS SHOWN FOR THE PURPOSE OF ONE ACRES BEING SQUARE FEET IN BASE SQUARES (79,200) & PALM DRIVE R.O.W. RIGHT OF WAY

330.00'

N 89°16'05" E 330.00' PALM DRIVE (55.00' R.O.W.)

300.00'

N 00°43'35" W 300.00'

S 89°16'05" W 330.00'

S 00°43'35" E 300.00'

1" = 30'

NEW LEGEND - AS APPLICABLE

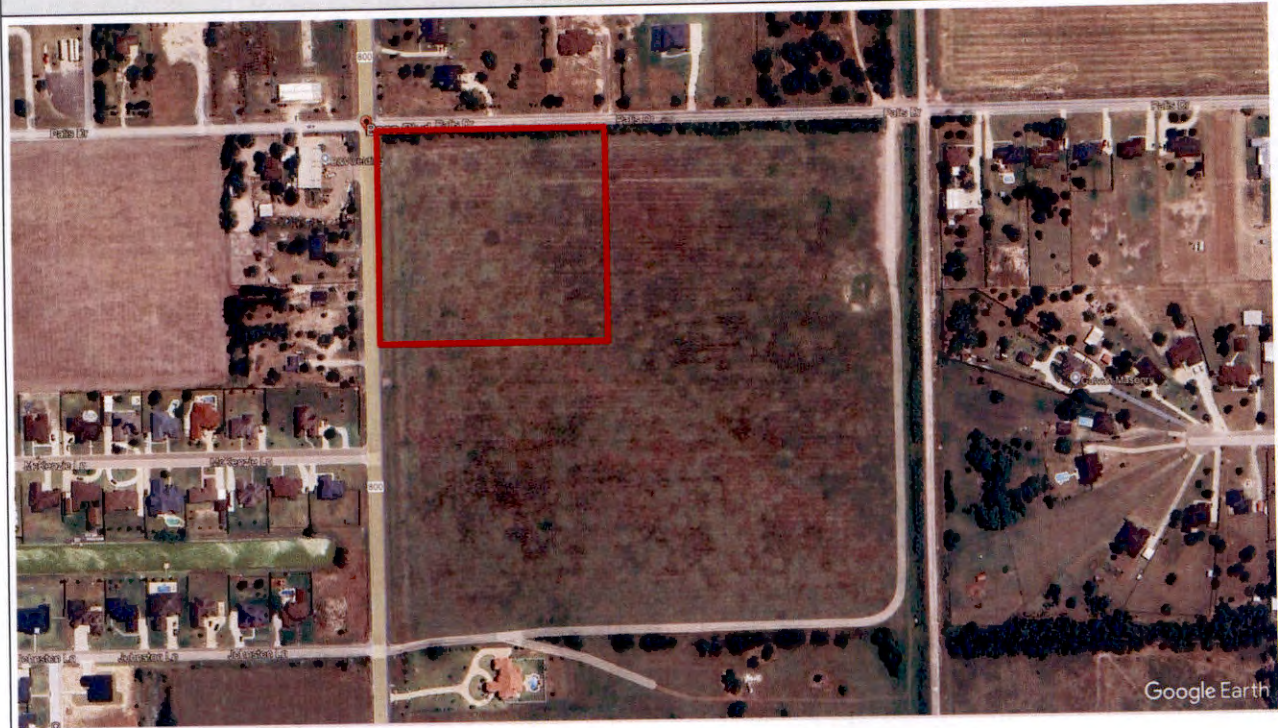
METHOD AND MEASUREMENT DESCRIPTION

SURVEY GENERAL NOTES

JAMES H. HARRIS, SURVEYOR

JULY 1, 2004

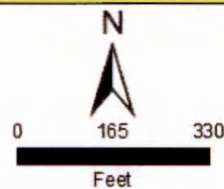
Attachment IV - Aerial





Future Land Use Map

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



Boundary Lines

- Harlingen City Limits
- Subject Property

Future Land Use

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

THIS MAP HAS BEEN PRODUCED BY THE CITY OF HARLINGEN FOR THE SOLE PURPOSE OF LOCATING JURISDICTIONAL BOUNDARIES AND IS NOT INTENDED FOR ANY OTHER PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING ORTHOPHOTO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT.

Attachment VI – Street View

Street View from Bass Boulevard



Street View from Palis Drive



ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM NOT DESIGNATED ("N") DISTRICT GENERAL RETAIL ("GR") DISTRICT FOR A 2.273 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE EXTREME NORTHWEST CORNER OF BLOCK 176, ADAMS GARDENS SUBDIVISION "C", LOCATED AT THE SOUTHEAST CORNER OF BASS BOULEVARD (FM 800) AND PALIS DRIVE.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Rezoning from Not Designated ("N") District to General Retail ("GR") District for a 2.273-acre tract of land, more or less, out of the extreme northwest corner of Block 176, Adams Gardens Subdivision "C", located at the southeast corner of Bass Boulevard (FM 800) and Palis Drive as shown in Exhibit "A"

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

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

FINALLY ENACTED this ____ day of _____, 2025 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.

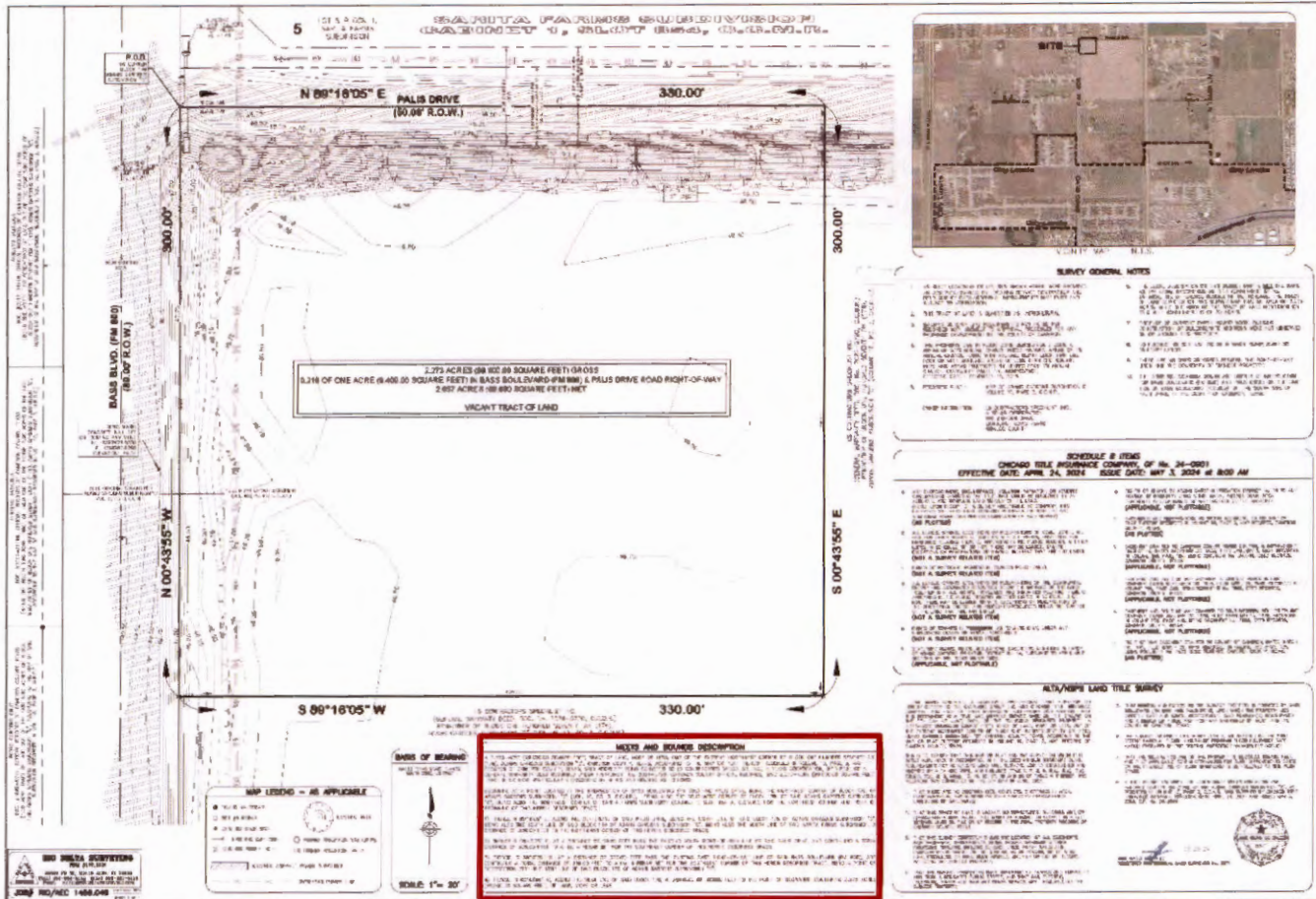
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

Exhibit "A"



10(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Light Industry ("LI") District to Planned Development ("PD") District to allow 32 ft. wide streets with 50 ft. right-of-way and smaller lot sizes for a 393-lot single family development on a property bearing a legal description for a 73.69 acre tract of land, more or less, out of and forming a part of Blocks 28, 36 and 37, Palmetal Subdivision, located along the south side of Grimes Avenue approximately 6,500 feet east of Loop 499. Applicant: Francisco Arriaga, c/o Solid Development Inc. Attachment (**Planning & Development**)

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- June 11, 2024 – Application for a rezoning submitted to the City. (**ATTACHMENT I-III**). Application deemed incomplete pending submittal of an approved drainage report.
- September 11, 2024- Applicant submits drainage report.
- December 10, 2024- Drainage report approved by the Engineering Department.
- December 27, 2024- In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- December 28, 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.
- January 8, 2025- Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- January 15, 2025– Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- February 12, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Francisco Arriaga, the applicant and property owner, is requesting to rezone the subject property from Light Industry ("LI") District to Planned Development ("PD") District to allow for a single-family residential development with smaller lot sizes and with 32-foot wide paved streets with 50 feet of right-of-way. (**ATTACHMENT II**).
- The irregularly shaped property is currently vacant. It has 268.5 feet of frontage on Grimes Avenue and a depth of 2,590.76 feet at its longest point. Grimes Avenue

is classified as a major collector street, and is currently a two lane 37-foot wide paved street without curb and gutter. There is a project in a partnership with Cameron County to widen and improve the roadway from Loop 499 to FM 509. **(ATTACHMENT III).**

- According to the Planned Development ("PD") site plan, the developer is proposing a 393-lot single family residential development with 32-foot wide paved streets with 50 feet of right-of-way. All lots will front an interior public street. The lots vary in size from 5,000 square feet to 9,652 square feet. All lots meet the minimum 50-foot lot frontage requirement and most of the lots meet the minimum 100-foot lot depth requirement; however, the Code of Ordinances requires the 6,000 square feet minimum lot areas. Eighty-nine percent of the lots do not meet the lot area requirements, and seven percent of the lots do not meet the 100-foot lot depth requirement. The setbacks will be 18 feet in the front setback, 15 feet if it is along a cul-de-sac, 3 feet on the sides, 5 feet if it is on a corner side, and 10 feet in the rear setback. **(ATTACHMENT IV).**
- The subject property is not located within the Airport Overlay Zoning District.
- The surrounding properties are zoned Light Industry ("LI") District to the north and south, and Residential, Multi-Family ("M-2") and Light Industry ("LI") to the west. East of the property there is an irrigation canal. Further east, the north part along the south side of Grimes Avenue is outside the city limits and the south part is inside the city limits. **(ATTACHMENT V).** The surrounding land uses consist of vacant land in agriculture use to the north and south, single family residential houses to the northeast, and vacant land in agriculture use and a multi-family residential subdivision to the west. **(ATTACHMENT VI AND VII).**
- The request was reviewed and approved by the Building Inspections, Engineering and Fire Prevention Departments subject to complying with all applicable codes. The Director of Aviation and the Economic Development Director had also previously submitted a letter reporting no objection to the proposed development. **(ATTACHMENT VIII-XII).**
- On August 7, 2024, the City Commission approved the amendment of the Future Land Use Plan for the subject property from Industrial land use to low density residential land use. Therefore, the request is consistent with Future Land Use Plan and generally consistent with the surrounding land use on the south side of Grimes Road, Staff also feels the subject property may be in transition with the Residential, Multi-Family ("M-2") zoning and Multi-family Development to the west of the subject property. **(ATTACHMENT XIII).**
- To the present, the Planning and Development Department has not received any calls from a surrounding property owners in opposition to the requested rezoning.

Funding (if applicable):

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

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

Finance Director's approval:

☐ Yes

☐ No

☐ N/A

Staff Recommendation:

Staff recommends approval of the rezoning request.

City Manager's approval:

6/6

☒ Yes

☐ No

☐ N/A

Comments:

City Attorney's approval:

[Signature]

☒ Yes

☐ No

☐ N/A

Attachment I

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION rev 8/13/2024

PROPERTY INFORMATION: (Please PRINT or TYPE)		S.E. INTERSECTION OF GRIMES & BOB	
Project Address <u>GRIMES RD. ** see below</u>		Nearest Intersection <u>YOUKER, HARLIGNEN</u>	
(Proposed) Subdivision Name <u>TUSCANY HILLS SUBDIVISION</u>		Lot _____	Block _____
Existing Zoning Designation <u>LIGHT INDUSTRIAL</u>		Future Land Use Plan Designation <u>PLANNED DEVELOPMENT</u>	
<u>DISTRICT FOR SINGLE FAMILY DWELLINGS</u>			
OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)			
Applicant/Authorized Agent <u>FRANCISCO ARRIAGA</u>		Phone <u>956-410-4399</u>	FAX _____
Email Address (for project correspondence only): <u>frank.arriaga@solidstructures.org</u>			
Mailing Address <u>4200 JAIME J. ZAPATA STE 117</u>		City <u>BROWNSVILLE</u>	State <u>TX</u> Zip <u>78521</u>
Property Owner <u>SOLID DEVELOPMENT INC.</u>		Phone <u>956-410-4399</u>	FAX _____
Email Address (for project correspondence only): <u>frank.arriaga@solidstructures.org</u>			
Mailing Address _____		City _____	State _____ Zip _____
<u>PLEASE COPY MY ENGINEER MARIO SALINAS : msalinas6973@att.net IN ALL CORRESPONDANCE</u>			
Select appropriate process for which approval is sought. Attach completed checklists with this application.			
☐ Annexation Request..... <u>No Fee</u>		☐ Preliminary Plat..... <u>\$100.00</u>	
☐ Administrative Appeal (ZBA)..... <u>\$125.00</u>		☐ Final Plat..... <u>\$50.00</u>	
☐ Comp. Plan Amendment Request... <u>\$250.00</u>		☐ Minor Plat..... <u>\$100.00</u>	
☐ Re-zoning Request..... <u>\$250.00</u>		☐ Re-plat..... <u>\$250.00</u>	
☐ SUP Request/Renewal..... <u>\$250.00</u>		☐ Vacating Plat..... <u>\$50.00</u>	
☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u>		☐ Development Plat..... <u>\$100.00</u>	
☒ PDD Request..... <u>\$250.00</u>		☐ Subdivision Variance Request..... <u>\$25.00 (each)</u>	
Please provide a basic description of the proposed project: <u>DEVELOP LAND INTO A PLANNED DEVELOPMENT DISTRICT</u>			
<u>SUBDIVISION FOR SINGLE FAMILY DWELLINGS. ** PROP. ID No. 207046 18.69 AC,</u>			
<u>ID No. 207673 40AC.,</u>			
<u>ID No. 207071 15AC.,</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>Fran Arriaga</u>		Date: <u>6/11/2024</u>	
Property Owner(s) Signature: <u>Fran Arriaga</u>		Date: <u>6/11/2024</u>	
Accepted by: _____		Date: _____	

Attachment I cont.

**RE-ZONING REQUEST
SUBMITTAL CHECKLIST**

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

Complete

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

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

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

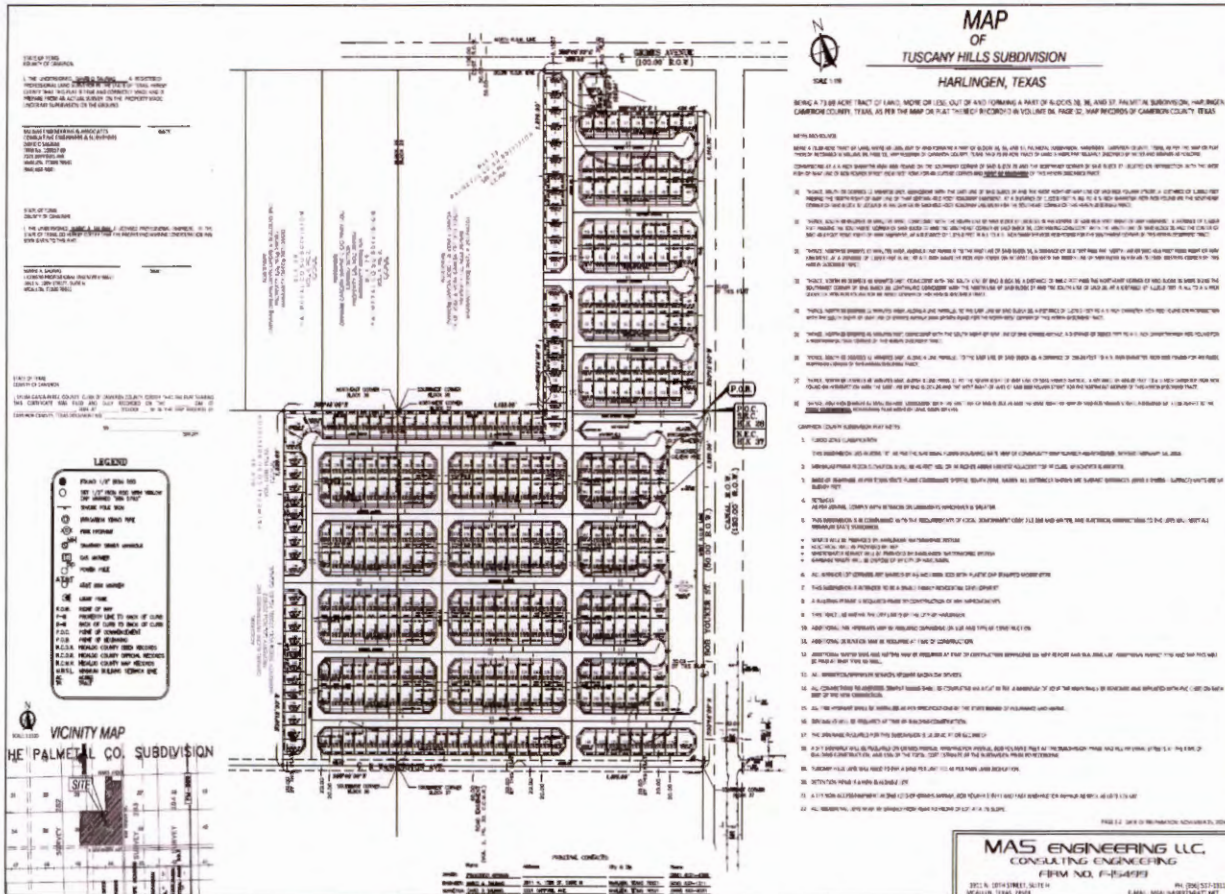
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to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

Owner: SOLID DEVELOPMENT INC Date: 7/19/24
Owner Address: 4200 JAYME J. ZAPATA STE 117
BROWNSVILLE TX 77821
Phone/Fax: _____
Signature: [Signature]

Attachment III

[illegible]

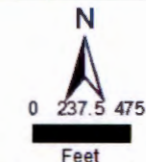
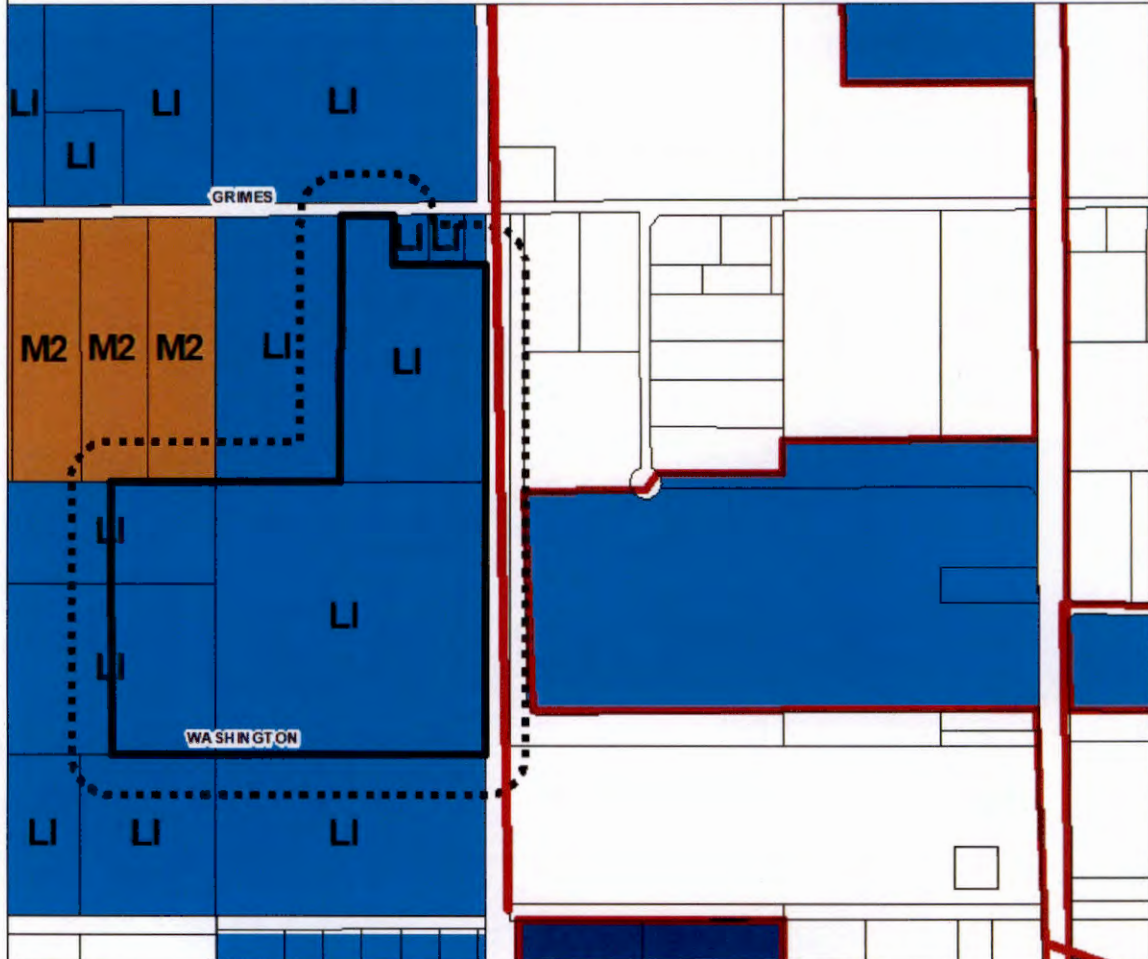
Attachment IV



Attachment V



Request to rezone from Light Industry ("LI") District to Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of Right-of-Way and smaller lot sizes for a 379-lot single-family development on a property bearing a legal description of 73.69 acres of land, more or less, out of and forming a part of Blocks 28, 36, and 37, Palmetal Subdivision, located along the south side of Grimes Avenue, approximately 6,500 feet east of Loop 499. Applicant: Francisco Arriaga c/o Solid Development, 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) |

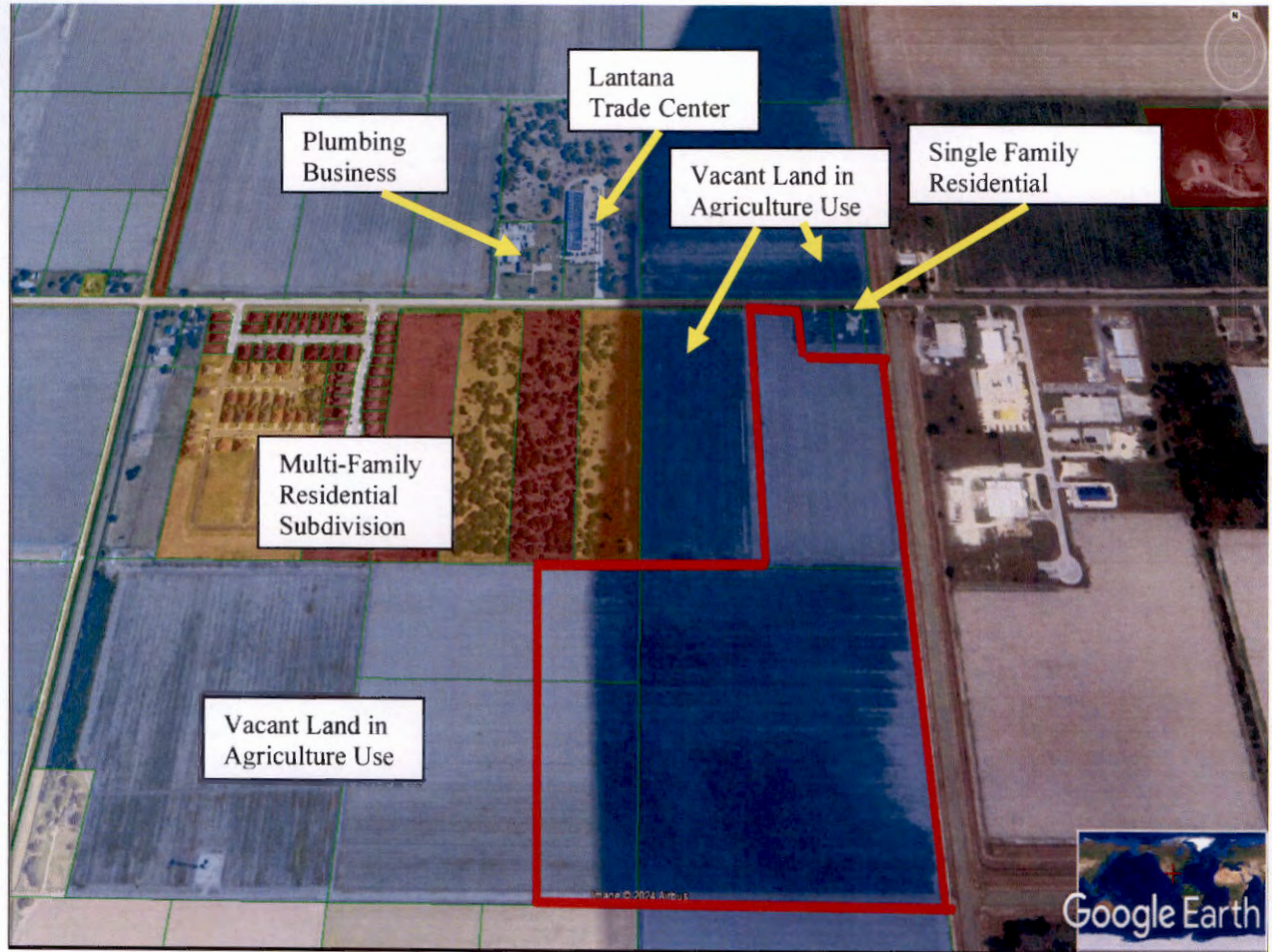
This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended 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 12.09.2024

Attachment VI

View from the North
on Grimes Avenue



Attachment VII





Planned Development (PD) Request Routing Slip

Applicant: Francisco Arriaga, c/o Solid Development Inc.

Phone No.: (956) 410-4399

Location: South side of Grimes Avenue approximately 6,500 feet east of Loop 499

Project Description: Request to rezone from Light Industry ("LI") District to Planned Development ("PD") District for single family residential use with smaller lot sizes and 32 ft. wide streets with 50 ft. right-of-way.

Department: Building Permits and Inspections Department

Approval: X YES NO

Comments:

If the Rezoning request is approved by Planning Department, A Building Permit application and complete set of plans (Site Plan, Structural Engineering Plans to include foundation...) must be submitted to the building department office for the proposed use.

- Conventional light-frame construction shall be designed in accordance with Sec. 2308, 2018 Int'l Residential Code that must comply with 140 mph wind speeds.

12/13/2024

Signature

Date



Engineering Department | 24200 FM 509, Harlingen, Texas 78550

December 9, 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 PRELIM/FINAL TUSCANY HILLS 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:

Construction Plans

- Provide a full set of construction plans for 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



Planned Development (PD) Request Routing Slip

Applicant: Francisco Arriaga, c/o Solid Development Inc.

Phone No.: (956) 410-4399

Location: South side of Grimes Avenue approximately 6,500 feet east of Loop 499

Project Description: Request to rezone from Light Industry ("LI") District to Planned Development ("PD") District for Single Family Residential use with smaller lot sizes and 32 ft. wide streets with 50 ft. right-of-way.

Department: Fire Prevention Bureau

Approval: ☐ YES ☒ YES with comments ☐ 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: December 19, 2024



June 17, 2024

Mr. Xavier Cervantes
Director, Planning & Zoning
City of Harlingen
502 E. Tyler
Harlingen, Texas 78550

RE: Comprehensive Plan Amendment Request for Tuscany Hills Subdivision

Dear Mr. Cervantes,

The Development Corporation of Harlingen, Inc. (also known as the Harlingen Economic Development Corporation or HEDC) has no objections to the application from Mr. Francisco Arriaga to modify the city's Comprehensive Plan for the 73-acre development of the planned Tuscany Hills residential subdivision along Grimes Road.

We had an opportunity to meet with Mr. Arriaga to discuss the property and bring awareness of its proximity to the airport and industrial developments nearby. We wanted to ensure that he understood potential challenges for such a development and potential impacts on its future success. Given the existence of residential developments near the site and the need for affordable housing for the local labor force, we do not see a need to object to this development.

Please let me know if you need any additional information or if you have any questions. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Orlando Campos'. The signature is fluid and cursive, with a long, sweeping line extending from the end of the name.

Orlando Campos
CEO

Attachment XII



June 21, 2024

Director, Planning & Zoning
City of Harlingen
502 E. Tyler
Harlingen, Texas 78550

RE: Comprehensive Plan Amendment Request for Tuscany Hills Subdivision

Dear Mr. Cervantes,

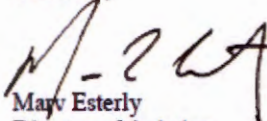
Valley International Airport has no objections to the application from Mr. Francisco Arriaga to modify the city's Comprehensive Plan for the 73-acre development of the planned Tuscany Hills residential subdivision along Grimes Road.

From the perspective of Valley International Airport, while the location does not lie within the Airports Overlay zoning, it is important to note that the area could experience occasional overflight noise from aircraft. This noise could be an annoyance for some residents.

We had an opportunity to meet with Mr. Arriaga and explain to him the proximity to the airport and the possible overflight noise. We wanted to ensure that he understood potential challenges for such a development and potential impacts on its future success.

Please let me know if you need any additional information or if you have any questions.

Sincerely,



Mary Esterly
Director of Aviation

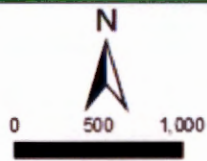
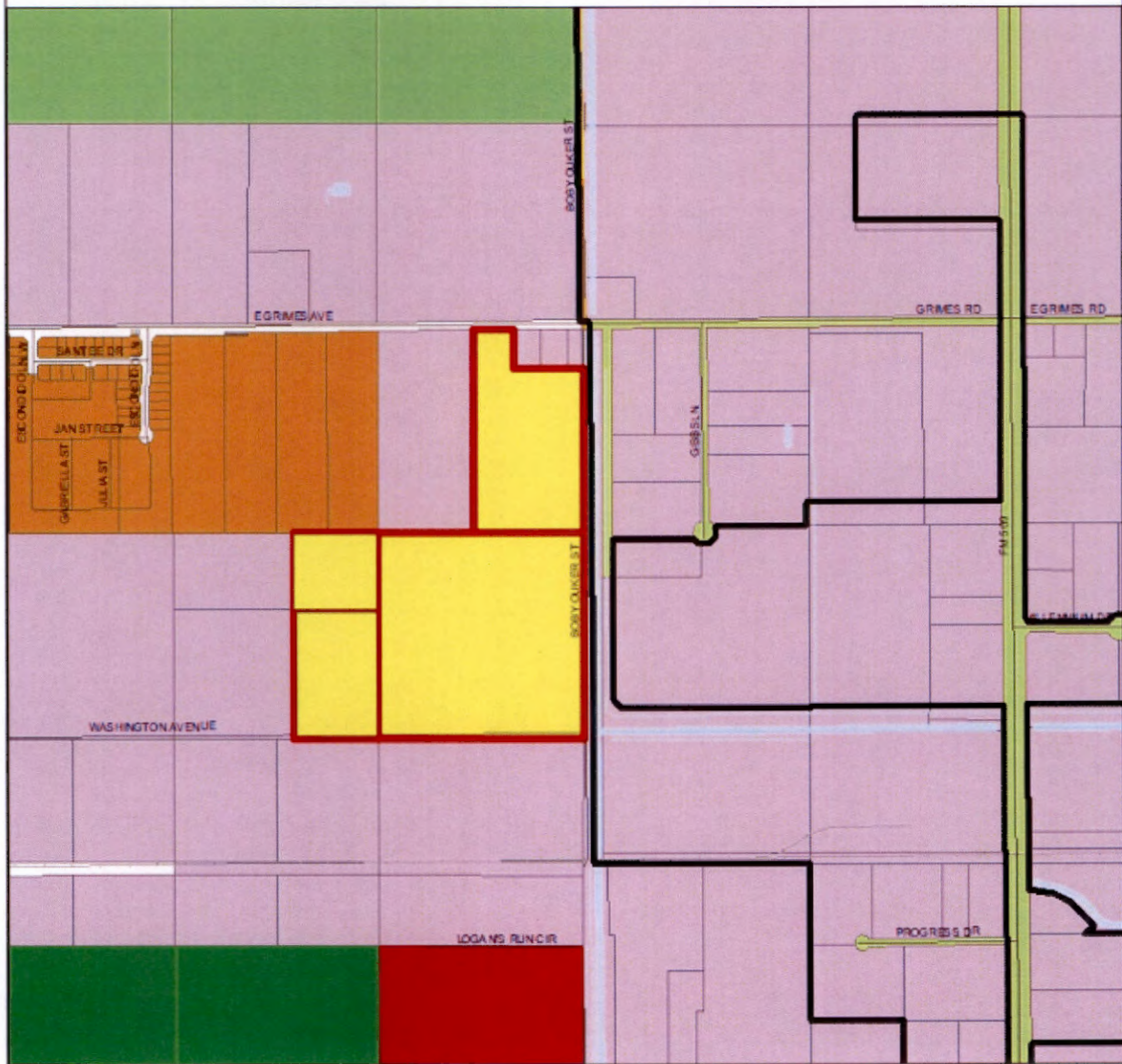


HEL Terminal Building 3002 Heritage Way, 3rd Floor Harlingen, TX 78550 T. 956 430 8600 F. 956 430 8619 www.flythevalley.com



Future Land Use Map

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



Boundary Lines

- Harlingen City Limits
- Subject Property

Future Land Use

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

THIS MAP HAS BEEN PRODUCED BY THE CITY OF HARLINGEN FOR THE SOLE PURPOSE OF LOCATING JURISDICTIONAL BOUNDARIES AND IS NOT INTENDED FOR ANY OTHER PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING ORTHOPHOTO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT.

ORDINANCE NO. 25_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM LIGHT INDUSTRY ("LI") DISTRICT TO PLANNED DEVELOPMENT ("PD") DISTRICT TO ALLOW 32-FOOT WIDE STREETS WITH 50 FEET OF RIGHT-OF-WAY AND SMALLER LOT SIZES FOR A 393-LOT SINGLE FAMILY DEVELOPMENT ON A PROPERTY BEARING A LEGAL DESCRIPTION OF 73.69 ACRE TRACT OF LAND, MORE ORLESS, OUT OF AND FORMING A PART OF BLOCKS 28, 36, AND 37, PALMETAL SUBDIVISION, LOCATED ALONG THE SOUTH SIDE OF GRIMES AVENUE APPORXIMATLEY 6,500 FEET EAST OF LOOP 499; 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:

Rezoning from Light Industry ("LI") District to Planned Development ("PD") District to allow 32-foot wide streets with 50 feet of right-of-way and smaller lot sizes for a 379-lot single family development on a property bearing a legal description for a 73.69 acre tract of land, more or less, out of and forming a part of Blocks 28, 36, and 37, Palmetal Subdivision, located along the south side of Grimes Avenue approximately 6,500 feet east of Loop 499, as shown on Exhibit "A" and "B"..

The provisions prohibiting the violation of the Code of Ordinances shall continue in full force and effect and apply to this ordinance.

The provisions amendment 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 "B".

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 _____, 2025 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

[illegible]

EXHIBIT "B"

TUSCANY HILLS SUBDIVISION BUILDING SETBACKS

SETBACK	MINIMUM
Front Setback	18 feet
Front Setback if along a cul-de-sac	15 feet
Side Setback	3 feet
Corner Side Setback	5 feet
Rear Setback	10 feet

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(c)

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading for the voluntary annexation of a 479.25-acre tract of land out of Survey 279, and all the existing right-of-way from the three county roads adjacent to the subject property also known as Bob Youker Street from Rio Hondo Road to Woodall Avenue, Woodall Avenue from Bob Youker Street west 764.44 feet and the unnamed County right-of-way along the east side of the subject property, located along the north side of Rio Hondo Road approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen. Attachment (**Planning & Development**)

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

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- December 21, 2024 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- January 8, 2025 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- January 15, 2025 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- February 5, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The property owner is the City of Harlingen and is known as the Aerotropolis property. The property has frontage along Rio Hondo Road and FM 509 cuts through the middle of the property in a north-south direction.
- Water and sewer services for this property will be provided by the Harlingen Waterworks System.
- 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 annexed a total of 106.21 acres. 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*
amount for this purpose?

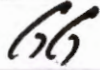
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval.

City Manager's approval:



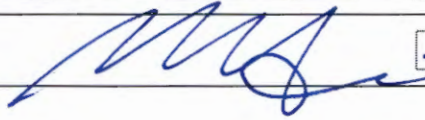
☒ Yes

☐ No

☐ N/A

Comments:

City Attorney's approval:



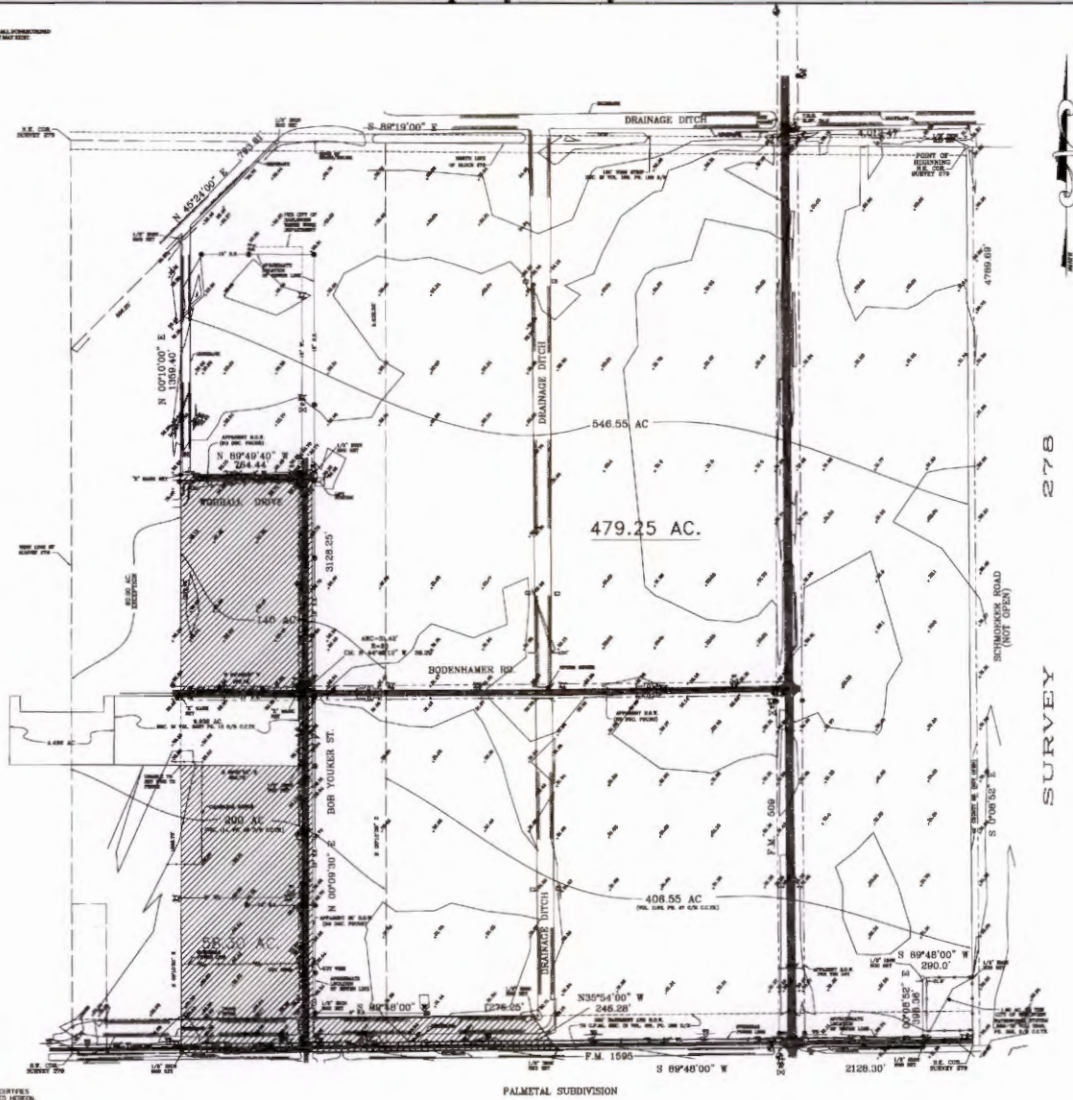
☒ Yes

☐ No

☐ N/A

Property Survey

THIS SURVEY NOT LIABLE FOR ANY AND ALL DISCREPANCIES
BASED UPON PREVIOUS SURVEYS AND THIS SURVEY

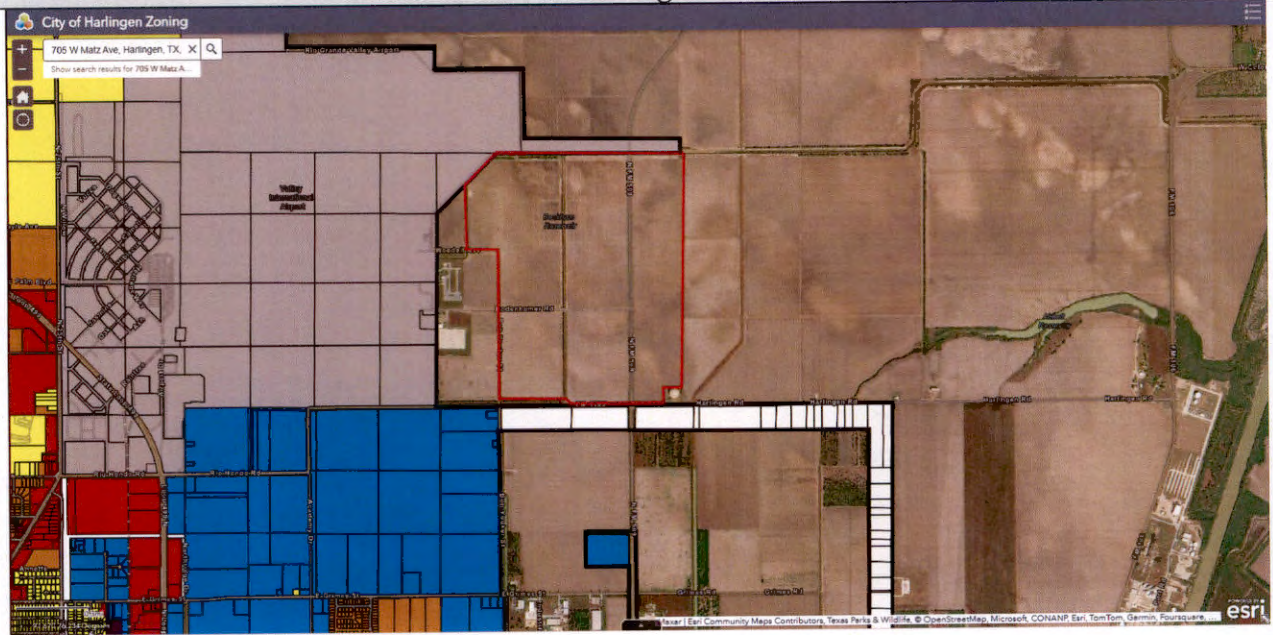


"THE UNDERSIGNED HEREBY CERTIFIES
THAT THIS SURVEY AS FORWARDED HEREON,
WAS MADE BY THE SURVEYOR ON 06/17/14
AND THAT THE ONLY REPRESENTATIONS ON THE
GROUND ARE AS SHOWN, THAT THERE ARE
NO MOBILE ENCROACHMENTS, VISIBLE
ENCROACHMENTS, ADVERSE EJECTMENTS, OR
VISIBLE EJECTMENTS, EXCEPT AS SHOWN
HEREON."

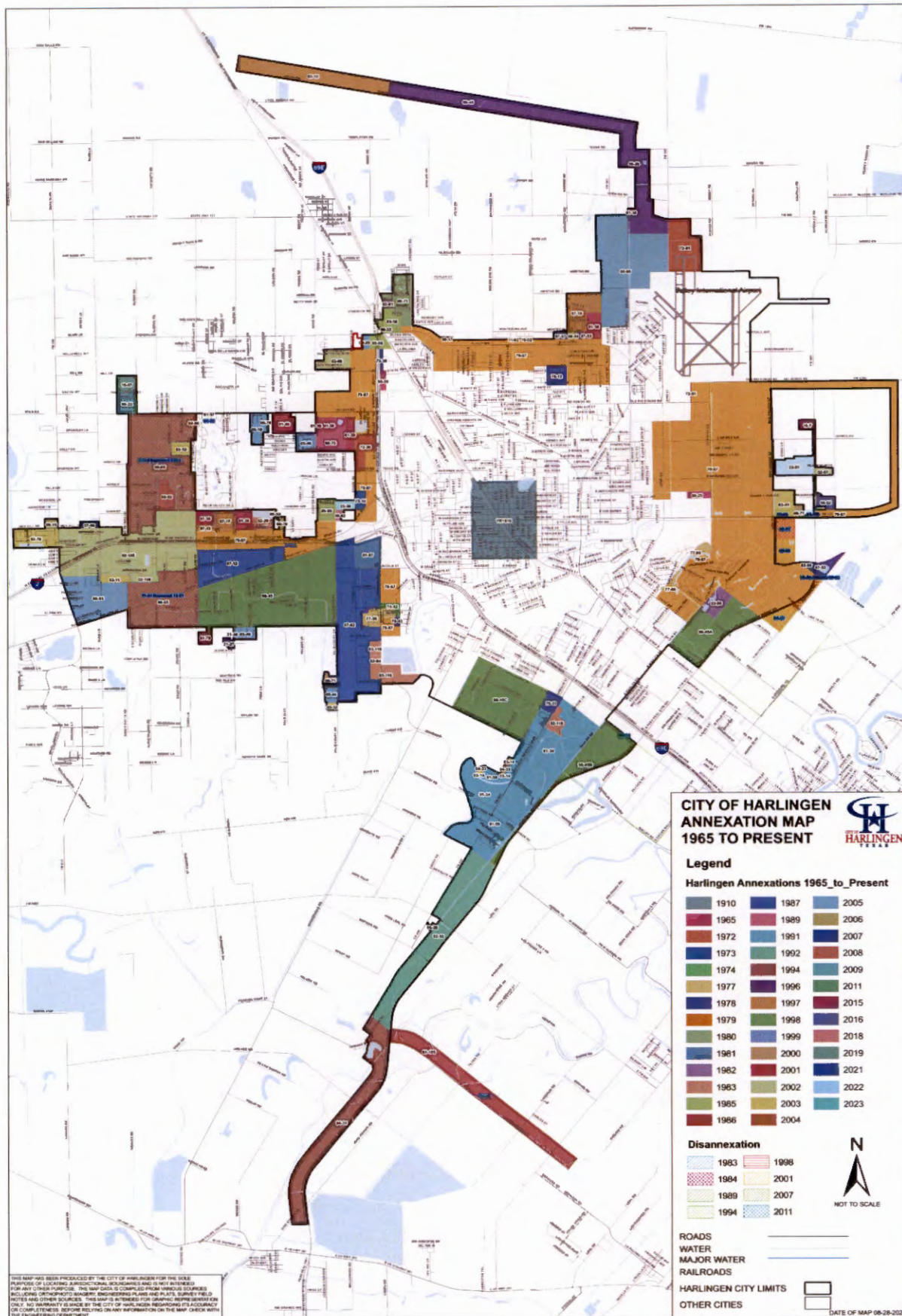
RECORDED 11/04/2014
BY DEAN NEW BOUNDARY
LINES

PALMETTO SUBDIVISION

Attachment IV- Zoning with Aerial Photo



Attachment VI- Annexation Map



AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE, A 479.25 ACRE TRACT OF LAND OUT OF SURVEY 279, AND ALL THE EXISTING RIGHT-OF-WAY FROM THE THREE COUNTY ROADS ADJACENT TO THE SUBJECT PROPERTY ALSO KNOWN AS BOB YOUKER STREET FROM RIO HONDO ROAD TO WOODALL AVENUE, WOODALL AVENUE FROM BOB YOUKER STREET WEST 764.44 FEET, AND THE UNNAMED COUNTY RIGHT-OF-WAY ALONG THE EAST SIDE OF THE SUBJECT PROPERTY, LOCATED ALONG THE NORTH SIDE OF RIO HONDO ROAD APPROXIMATELY 8,540 FEET EAST OF LOOP 499; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the "City") desires to annex approximately 479.25 acres of land situated along the north side of Rio Hondo Road approximate 8,540 feet east of Loop 499 described as a 479.25-acre tract of land out of Survey 279 and all the existing right-of-way from the three county roads adjacent to the subject property also known as Bob Youker Street from Rio Hondo Road to Woodall Avenue, Woodall Avenue from Bob Youker Street west 764.44 feet and the unnamed County right-of-way along the east side of the subject property as shown in Exhibit "A" and "B", 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; and

WHEREAS, the City Commission provided public notice and held public hearings on January 8, January 15, and February 5, 2025, 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 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 5. 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 6. 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 _____, 2025

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this ____ day of _____, 2025

CITY OF HARLINGEN

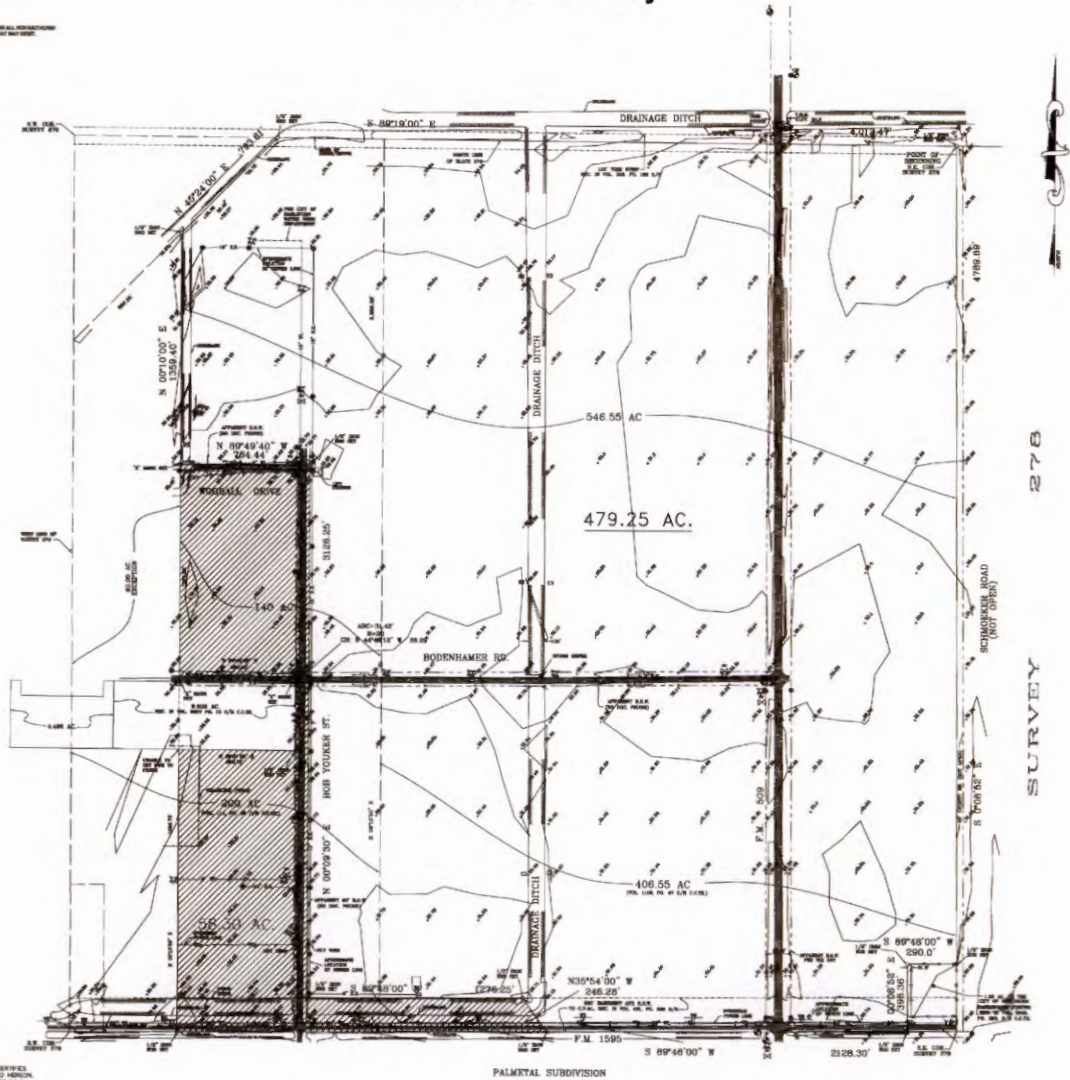
Norma Sepulveda, Mayor

ATTEST:

Amanda Elizondo, City Secretary

EXHIBIT "A" survey

THIS SURVEY WAS MADE BY THE SURVEYOR GENERAL OF THE STATE OF TEXAS, AND IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY RECORD.



THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY WAS MADE BY THE SURVEYOR GENERAL OF THE STATE OF TEXAS, AND IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY RECORD. THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN ON THIS SURVEY, AND NO OTHER IMPROVEMENTS, WHETHER OR NOT SHOWN, ARE TO BE CONSIDERED AS PART OF THIS SURVEY, EXCEPT AS SHOWN HEREON.

DEPOSED: 11/14/1984
BY: [Signature]
TO: [Signature]

PALMETTO SUBDIVISION

278 SURVEY

EXHIBIT "A" metes and bounds part 1

J N H



SURVEYING CO. L.L.C.

November 6, 2014

Metes and bounds description of a 479.25 acre tract of land out of Survey 279, Cameron County, Texas, County, Texas and said 479.25 acre tract being more particularly located and described as follows;

Beginning at a point on the west right-of-way line of a 40 foot county road (not open) same being the northeast corner of Survey 279, and being the northeast corner of the tract herein described;

Thence, along the west right-of-way line of said 40 foot county road (not open) and the east boundary line of said Survey 279, South 00 degrees 08 minutes 52 seconds East, a distance of 4789.69 feet to a 1/2" iron pin set, for a corner of this tract;

Thence, leaving the west right-of-way line of said 40 foot county road (not open) and the east boundary line of said Survey 279, South 89 degrees 48 minutes 00 seconds West, a distance 290.00 feet to a 1/2" iron pin set, for a corner of this tract;

Thence, South 00 degrees 08 minutes 52 seconds East, a distance of 396.36 feet to a 1/2" iron pin set on the south boundary line of said Survey 279 and the south right-of-way of F.M. 1595, for a corner of this tract;

Thence, along the south boundary line of said Survey 279 and the south right-of-way of F.M. 1595, South 89 degrees 48 minutes 00 seconds West, a distance 2128.30 feet to a 1/2" iron pin set, for a corner of this tract;

Thence, leaving the south boundary line of said Survey 279 and the south right-of-way of F.M. 1595, North 35 degrees 54 minutes 00 seconds West, a distance 246.28 feet to a 1/2" iron pin set on the north right-of-way of a 200 ft. easement and right-of-way to CP&L, for a corner of this tract;

Thence, continuing along the north right-of-way of said 200 ft. easement and right-of-way to CP&L, South 89 degrees 48 minutes 00 seconds West, a distance 1276.25 feet to a 1/2" iron pin set on the east right-of-way line of Bob Youker St., for a corner of this tract;

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

JN-4883

EXHIBIT "A" Metes and bounds part 2

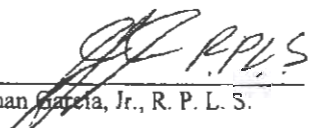
Thence, along the east right-of-way line of Bob Youker St., North 00 degrees 09 minutes 30 seconds East, a distance 3128.25 feet a ½" iron pin set, for a corner of this tract;

Thence, along the apparent north right-of-way of Woodall Drive, North 89 degrees 49 minutes 40 seconds West, a distance 764.44 feet to an "x" mark set, for a corner of this tract;

Thence, leaving the apparent north right-of-way of Woodall Drive, North 00 degrees 10 minutes 00 seconds East, a distance 1359.40 feet to a ½" iron pin set, for a corner of this tract;

Thence, North 45 degrees 24 minutes 00 seconds East, a distance of 793.81 feet to a ½" iron pin set on the north boundary line of Survey 279, for a corner of this tract;

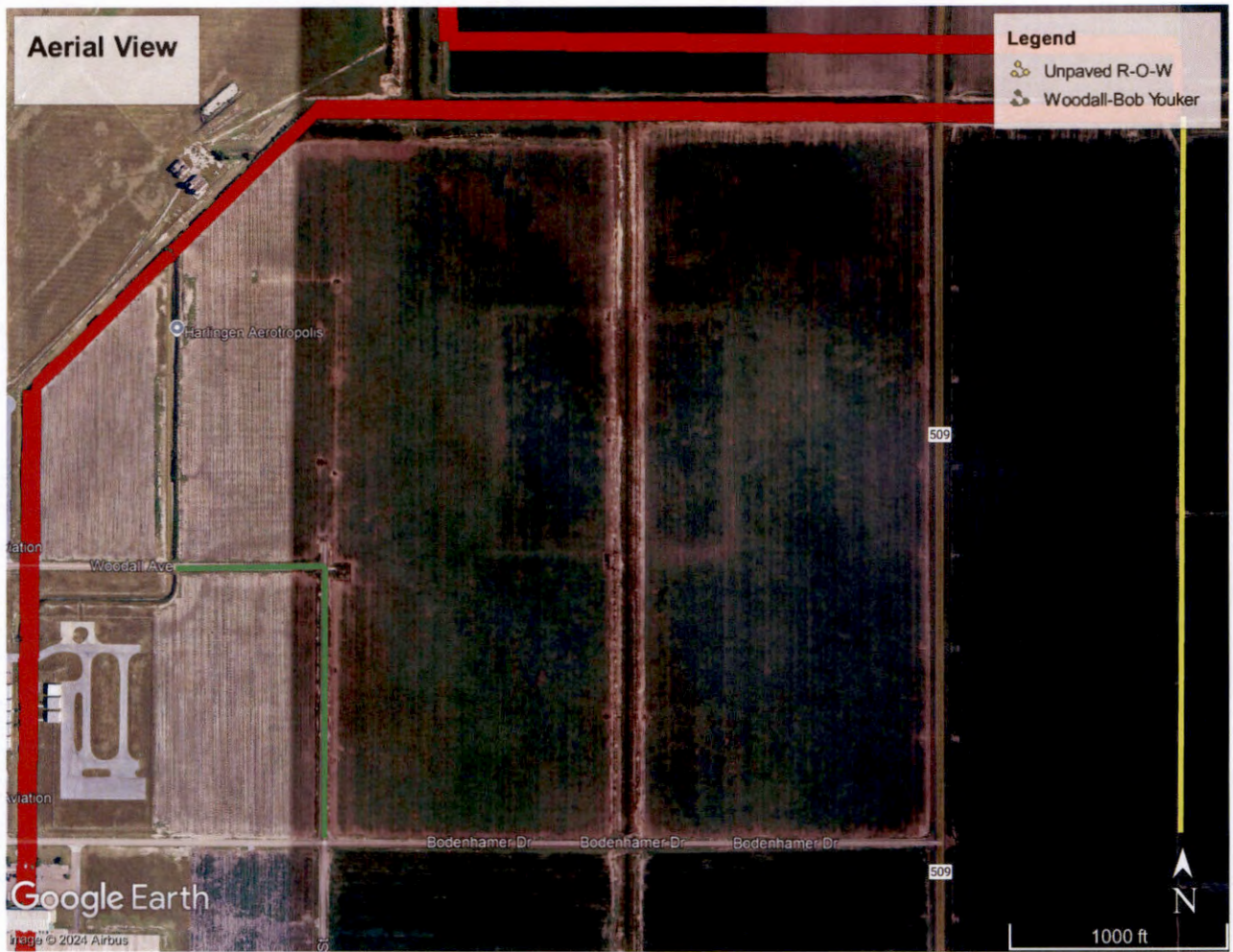
Thence, along the north boundary line of said Survey 279, South 89 degrees 19 minutes 00 seconds East, a distance of 4012.47 feet to the place of beginning, containing 479.25 acres of land more or less, inclusive any and all easements, restrictions, exceptions or dedications that may be of record.


Juan Garcia, Jr., R. P. L. S.

Reg. No. 4203



EXHIBIT "B"



10(d)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a Light Industry ("LI") District located at 1335 Memphis Street, bearing a legal description of the East 6.604 acres out of Block 3, Paul Hill Subdivision. Applicant: Ravenvolt, Inc. Attachment **(Planning & Development)** **(This item was tabled during the December 18, 2024, meeting).**

Prepared By: Xavier Cervantes, AICP, CPM

Title: Planning and Development Director

Signature: *Xavier Cervantes*

Brief Summary:

Project Timeline

- November 18, 2024 – Application for SUP submitted to the City. **(ATTACHMENT I).**
- November 25, 2024 – In accordance with State and local law, notice of the required public hearing mailed to all property owners within a 200 foot radius of subject tract. **(ATTACHMENT II)**
- November 30, 2024 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- December 11, 2024 - Public hearing and consideration of the requested SUP by the Planning and Zoning Commission (P&Z).
- December 18, 2024 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission. The item was tabled.
- January 15, 2025 – Consideration of requested SUP via 1st ordinance reading.
- February 5, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per Section 111-62 the City of Harlingen's Code of Ordinances, an unmanned battery facility in a Light Industry ("LI") District requires the approval of a Special Use Permit (SUP) by the City Commission. **(ATTACHMENT I-III)**
- The applicant is requesting a Special Use Permit (SUP) to allow an unmanned battery storage facility on the property.
- There is currently an abandoned building in the property, used to be the former Harlingen Ice Plant No. 39. The property has approximately 127.92 feet of frontage on West Memphis Street and a depth of 755.64 feet. **(ATTACHMENT III, IV)**
- There is an AEP substation to the northwest of the property. Since the proposed facility will be unmanned, there will be no requirements for parking. The batteries will be 20 feet long, by 8 feet wide, by 8.5 feet high. The property will need to be subdivided before building permits are issued.

- Surrounding properties are zoned Light Industry ("LI") District to the north and east and Residential, Single-Family ("R-1") to the south and west. The lot to the northwest, has an AEP electrical substation, the lot to the east is the Union Pacific Railroad tracks. The lots to the west and south are developed with single family homes. **(ATTACHMENT V)**
- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- To the present, the Planning and Zoning Department has received six phone calls from the surrounding property owners with two callers expressing opposition to the proposed battery storage facility. One caller expressed concerns over the batteries potentially leaking into the ground and the proximity to the neighborhood. The other caller expressed concerns with property taxes potentially increasing as a result of the project.
- The Building Inspections Department, Engineering Department and Fire Prevention Bureau have reviewed the application. Building Inspections Department, Engineering Department, and Fire Prevention Bureau recommended approval of the Special Use Permit request subject to complying with all of the requirements set forth by each department. **(ATTACHMENT VII)**
- Memphis Street is a residential street 37 feet in width from the back of the curb to the back of the curb and 428 feet in length. As per the City Engineer, he estimates it would cost the city approximately \$40,000.00 for a full street reconstruction. If the project is approved, Mr. Vargas recommends a thorough assessment of the street condition prior to project construction for a before and after comparison. **(ATTACHMENT IV)**
- The applicant provided a detailed overview of the proposed battery storage project. The memo includes information regarding the tax revenue, the enhanced local electric reliability, an overview of the battery storage technology, and a brief overview of RavenVolt, Inc. **(ATTACHMENT XI)**

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

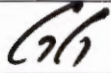
Staff Recommendation:

Staff recommends approval of the request subject to the following:

1. Complying with Planning ordinances and regulations, Fire Prevention Bureau's regulations, Engineering's regulations and Building Inspections ordinances and regulations.

2. Install and maintain an 8-foot solid wall along the southwest and northeast boundaries of the property with landscaping and an irrigation system between the wall and the pavement.
3. The project must be approved by the Fire Chief prior to a building permit being issued.

City Manager's approval:



Yes



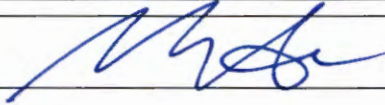
No



N/A

Comments:

City Attorney's approval:



Yes



No



N/A

Attachment I

11/18/2024 MON 12:15 FAX

001/002

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1335 W. Memphis St. Nearest Intersection Wichita/W. Memphis St.
(Proposed) Subdivision Name _____ Lot _____ Block _____
Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Ravenvolt, Inc. Phone 760-805-2479 FAX _____
Email Address (for project correspondence only): norman.kramer@ravenvolt.com
Mailing Address 2764 Secret Lake Lane City Fallbrook State CA Zip 92028
Property Owner B&B VALLEY LTD Phone 951-444-8687 FAX _____
Email Address (for project correspondence only): _____
Mailing Address P.O. Box 577 City Dumas State TX Zip 79824

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: 9.9MW-20MWh utility BESS project

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

Applicant's Signature: Norman Kramer Signature must be in ink. Signature must be in ink. Signature must be in ink. Signature must be in ink. Signature must be in ink. Date: 11/14/2024

Property Owner(s) Signature: Charles M. Bick Signature must be in ink. Signature must be in ink. Signature must be in ink. Signature must be in ink. Signature must be in ink. Date: 11/18/2024
PRESIDENT

Accepted by: _____ Date: _____

Attachment I

11/18/2024 MON 12:16 FAX

002/002

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

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

Complete

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

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

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

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

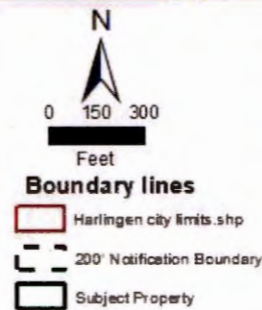
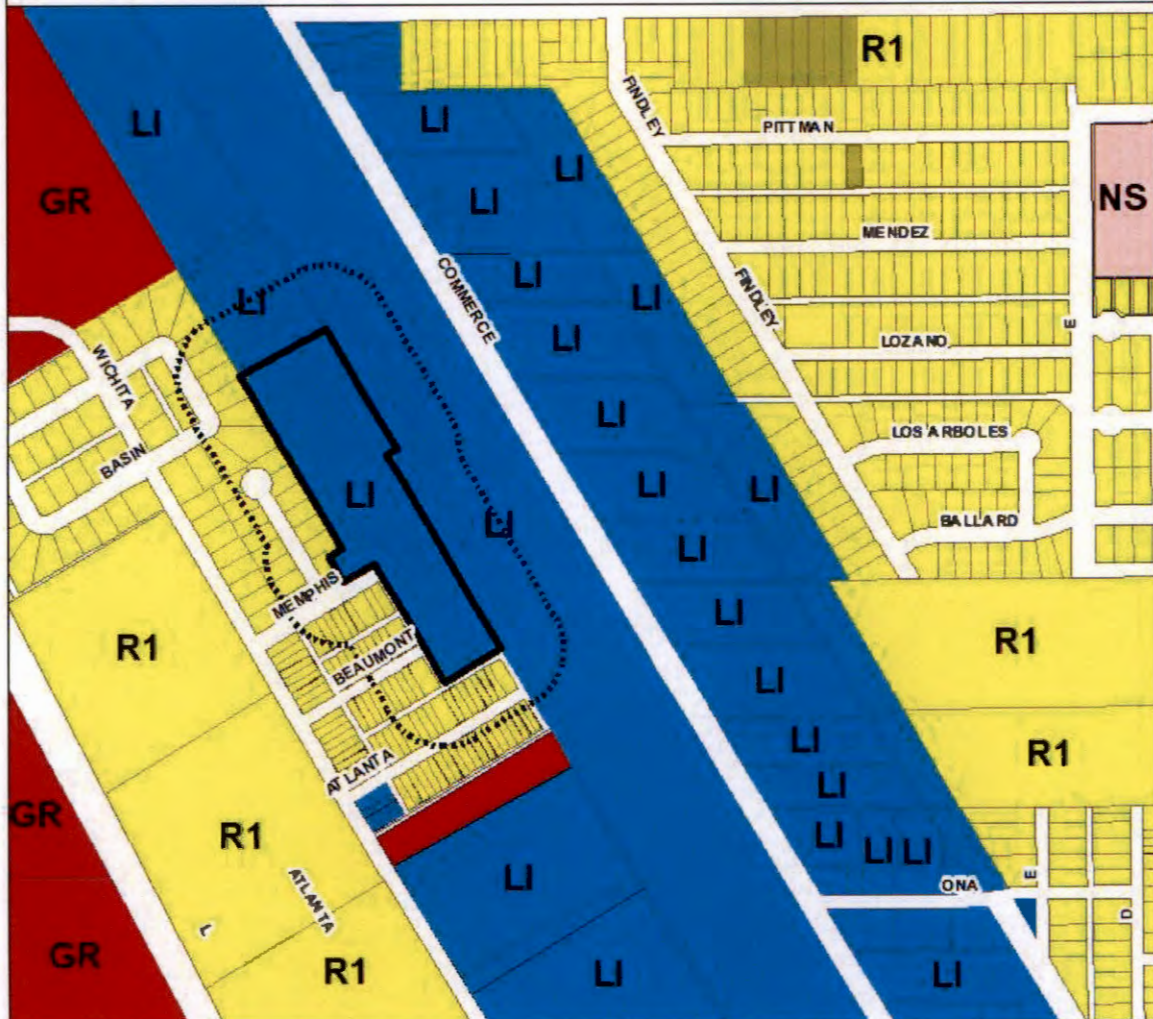
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to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

Owner: B&B VALLEY LTD Date: 11/14/2024
Owner Address: P.O. Box 584, Dallas, TX 75237
Phone/Fax: 956-454-9688 - 956-968-9222
Signature: by Charles M. Bell 1st GENERAL PARTNER PRESIDENT

Attachment II



Request for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a Light Industry ("LI") District located at 1335 Memphis Street, bearing a legal description of the East 6.6040 acres of Block 3 of the Paul Hill Subdivision. Applicant: Ravenvolt, Inc.



Zone Map		Zoning Designations	
■	General Retail (GR)	■	Multi Family Residential (M2)
■	Heavy Industry (HI)	■	Mobile Home Residential (MH)
■	Light Industry (LI)	■	Not-Designated (N)
■	3/4 Plex Residential (M1)	■	Neighborhood Services (NS)
■	Planned Development (PD)	■	Office (O)
■	Single Family Residential (R1)	■	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 11.15.2024

NEW FRAM
E3

SITE PLAN

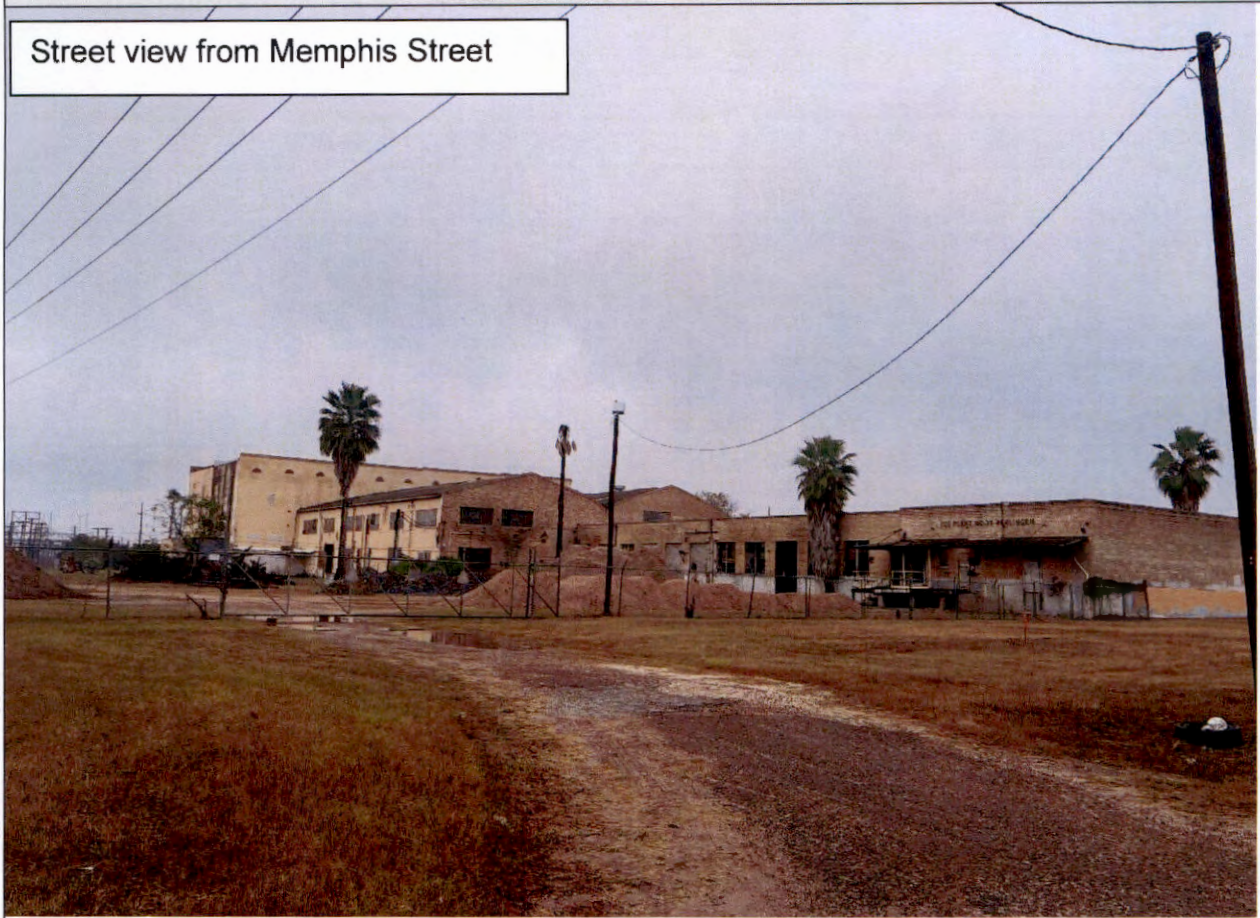
Attachment III

Example of a battery storage energy facility



Attachment IV – Street View

Street view from Memphis Street



Attachment IV – Street View



Attachment V – Aerial View



Attachment VII – Routing Slip



Specific Use Permit ("SUP") Routing Slip

Applicant: Ravenvolt, Inc.

Phone No.: (760) 805-2479

Location: 1335 Memphis Street

Project Description: Request for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a Light Industry ("LI") District to be located at 1335 Memphis Street, bearing a legal description of the East 6.6040 acres of Block 3 of the Paul Hill Subdivision.

Department: Building Permits and Inspections Department

Approval: X YES NO

Comments:

If request is approved by Planning Dept., A Building Permit application and complete set of plans (Site Plan, Structural Engineering Plans to include foundation...) must be submitted to the building department office for the proposed use.

12/03/2024

Signature

Date

Attachment VII – Routing Slip



Specific Use Permit ("SUP") Routing Slip

Applicant: Ravenvolt, Inc.

Phone No.: (760) 805-2479

Location: 1335 Memphis Street

Project Description: Request for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a Light Industry ("LI") District to be located at 1335 Memphis Street, bearing a legal description of the East 6.6040 acres of Block 3 of the Paul Hill Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: 1. The applicant will have to meet any code, regulation, ordinance, and standard required for a construction permit.

2. Fire department access road will be an all-weather driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds.

3. Electrical energy storage system design will need to comply with Section 1206 of the 2018 IFC.

4. Fire hydrant placement will comply with any subdivision requirements.

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: December 5, 2024

Attachment VII – Routing Slip



Specific Use Permit ("SUP") Routing Slip

Applicant: Ravenvolt, Inc.

Phone No.: (760) 805-2479

Location: 1335 Memphis Street

Project Description: Request for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a Light Industry ("LI") District to be located at 1335 Memphis Street, bearing a legal description of the East 6.6040 acres of Block 3 of the Paul Hill Subdivision.

Department: _____

Approval: ☒ YES ☐ NO

Comments:

Must submit a full set of Civil Plans for review and approval prior to construction. In the Paving and grading plan, provide size of infrastructure and for the storm bleeder discharge pipe ensure size and slope is provided to verify the discharge rate does not exceed 10-yr existing flowrate conditions.

Ensure the finish elevation of the structures are 18-inches above the FEMA BLE (39.6')

The driveway Apron (within ROW) Must be made out of Concrete as per latest city Standards.

Roberto Hernandez

Signature

12-02-2024

Date

Attachment VIII – 30 Year Tax Projection														
Year	Estimated Cost	Construction Expenditures	Interest Income	Debt Service (Interest & Principal)	New Rate (20% of Working)	Net Rate 2000	Net Rate (2000-2009)	Net Rate (2009-2019)	Net Rate (2019-2029)	Total Net Rate	Flt. Taxes (Commercial)	Flt. Taxes (City of Burlington)	Flt. Taxes (Per)	Total Taxes (2000-2009)
2004	\$ 6,211,419	100.0%	\$ 8,711,419	0.43%	0.35%	0.02%	0.01%	0.04%	1.98%	\$ 37,634	\$ 47,523	\$ 1,922	\$ 4,286	\$ 81,469
2007	\$ 8,711,419	91.5%	\$ 7,870,948	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 34,426	\$ 45,481	\$ 1,750	\$ 3,932	\$ 74,944
2008	\$ 8,711,419	83.0%	\$ 7,235,478	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 31,228	\$ 39,444	\$ 1,585	\$ 3,557	\$ 67,819
2009	\$ 8,711,419	74.5%	\$ 6,490,007	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 28,030	\$ 35,404	\$ 1,432	\$ 3,189	\$ 60,695
2010	\$ 8,711,419	66.0%	\$ 5,745,536	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 24,832	\$ 31,362	\$ 1,268	\$ 2,820	\$ 53,772
2011	\$ 8,711,419	57.5%	\$ 5,000,066	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 21,634	\$ 27,325	\$ 1,105	\$ 2,464	\$ 46,845
2012	\$ 8,711,419	49.0%	\$ 4,254,595	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 18,436	\$ 23,286	\$ 942	\$ 2,100	\$ 39,920
2013	\$ 8,711,419	40.5%	\$ 3,509,125	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 15,238	\$ 19,247	\$ 778	\$ 1,736	\$ 32,995
2014	\$ 8,711,419	32.0%	\$ 2,763,654	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 12,040	\$ 15,207	\$ 615	\$ 1,372	\$ 26,070
2015	\$ 8,711,419	23.5%	\$ 2,018,183	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 8,842	\$ 11,168	\$ 452	\$ 1,007	\$ 19,145
2016	\$ 8,711,419	15.0%	\$ 1,272,712	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 5,644	\$ 7,525	\$ 284	\$ 857	\$ 16,294
2017	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2018	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2019	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2020	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2021	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2022	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2023	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2024	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2025	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2026	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2027	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2028	\$ 8,711,419	10.0%	\$ 1,742,284	0.43%	0.35%	0.02%	0.03%	0.04%	1.98%	\$ 7,525	\$ 9,505	\$ 384	\$ 857	\$ 16,294
2029														

Attachment IX – Memo from Applicant



2715 Ronald Regan Blvd., Suite 100
Cumming, GA 30041
www.RavenVolt.com

Soledad Nunez
City Planner
502 E. Tyler Avenue
Harlingen, TX 78550
O: 956-216-5101



RE: Battery Storage Project Overview for the City of Harlingen

Dear Mayor Sepulveda, City Commissioners, and Residents of Harlingen,

We are pleased to provide this letter to offer a more detailed explanation of the proposed battery storage project. This project presents significant benefits to the Harlingen Community ("the City"), including increased tax revenue and enhanced local electric reliability.

The project includes a comprehensive overview of the battery storage system, the benefits it will bring, and details about the key stakeholders involved: RavenVolt, Inc. ("Contractor"), the Engineering, Procurement, and Construction (EPC) company filing the Special Use Permit (SUP), and PotisEdge ("Owner").

Additionally, we want to reassure the City that we are working closely with the Planning and Engineering Departments to address any concerns related to road impacts. Specifically, we are assessing potential costs for repairing any damages along Memphis Road, from Wichita Avenue to the northeast end. The City's Engineering Department has provided an initial estimate of \$40,000 for potential roadwork.

To ensure transparency and collaboration, the Contractor is also working with the Owner to finalize a detailed cost estimate. Once this estimate is defined, we will share it with the City and work together to address concerns related to the construction of the battery storage system.

We remain committed to fostering a successful partnership with the City of Harlingen and its residents throughout the development of this project. Should you have any questions or require further information, please do not hesitate to reach out.



2715 Ronald Regan Blvd., Suite 100
Cumming, GA 30041
www.RavenVolt.com

Overview of the Proposed 10MW–20MWh Battery Storage System

The proposed 10MW–20MWh Battery Energy Storage System (BESS) is designed to enhance the reliability and efficiency of the local power grid in Harlingen. This advanced energy storage solution will store excess electricity during periods of low demand and dispatch it during peak usage, optimizing energy distribution and reducing strain on the grid.

The system not only supports renewable energy integration but also offers economic benefits to the community, including increased tax revenue and potential reductions in energy costs. With a state-of-the-art design and rigorous safety protocols, the BESS will serve as a cornerstone of Harlingen's commitment to sustainable and resilient energy infrastructure.

Benefits to the City of Harlingen

1. Tax Revenue

The estimated tax revenue is projected to average \$143,443 per year for the first five years. This revenue is based on a total tax rate of 1.98% applied to the depreciated cost of the battery storage system. The allocation details are provided below. The Owner is willing to collaborate with the City to review and confirm the accuracy of the tax revenue estimates.

Allocation	%
Tax Rate (Cameron Co)	0.43%
Tax Rate (City of Harlingen)	0.55%
Tax Rate (Port)	0.02%
Tax Rate (South Texas ISD)	0.05%
Tax Rate (Harlingen ISD)	0.94%
Total Tax Rate	1.98%

2. Enhanced Local Electric Reliability

The dynamics of the Texas power market, overseen by ERCOT, have undergone significant changes with the increased integration of renewable energy sources like wind and solar. While these additions are crucial for advancing sustainable energy goals, they have also introduced new challenges. Over the next several years, the growing reliance on renewables will expose cities across Texas to unprecedented vulnerabilities in the form of grid instability and potential long-duration outages.

The intermittent nature of wind and solar power contributes to greater market volatility, creating scenarios where energy supply may not consistently meet demand. This variability makes it critical for municipalities to adopt solutions that enhance local energy resilience.



2715 Ronald Regan Blvd., Suite 100
Cumming, GA 30041
www.RavenVolt.com

The installation of a 10MW–20MWh Battery Energy Storage System (BESS) within the City's distribution network represents a proactive approach to mitigating these vulnerabilities. By storing energy during periods of low demand and discharging it when needed, the BESS ensures that power is directly available to the residents and businesses of the City, even before other ERCOT ratepayers can access it. Since the power generated and stored is purchased through the ERCOT system, the City uniquely benefits from enhanced reliability without directly incurring additional costs.

Effectively, this setup provides the City with what can be described as “almost free” reliability for its residents and businesses. While ERCOT ratepayers across the system contribute to the cost, the City reaps the rewards of a more stable and resilient local power supply, safeguarding its community against the risks posed by an evolving energy market.

Overview of the Battery Storage Technology

A 10MW–20MWh lithium-ion battery system is an ideal choice for modern power grids, offering high energy density, rapid response times, and a robust design. It provides reliable battery backup, supports energy services, and contributes to grid stability by delivering ancillary services such as frequency regulation.

Crucially, its resilient construction helps safeguard the power supply during extreme weather events, ensuring uninterrupted operations despite sudden disruptions or spikes in demand. By storing and dispatching energy as needed, this system bolsters grid reliability, reduces dependence on fossil-fuel-based peak generation, and promotes a more sustainable and flexible energy future.

About RavenVolt, Inc.

RavenVolt, Inc. is a leading provider of innovative energy solutions specializing in the design, engineering, procurement, and construction of battery energy storage systems and microgrid projects. With a commitment to advancing renewable energy integration and enhancing grid resilience, RavenVolt, Inc. delivers turnkey solutions that meet the unique needs of utilities, municipalities, and commercial clients.

The company's expertise spans the entire project lifecycle, from feasibility studies and permitting to construction and commissioning, ensuring seamless execution and optimized performance. RavenVolt, Inc.'s focus on cutting-edge technology, sustainability, and reliability positions it as a trusted partner in advancing clean energy initiatives and driving long-term value for communities and stakeholders.

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN (ORDINANCE NO. 16-8): TO ISSUE A SPECIAL USE PERMIT (SUP) TO RAVENVOLT, LLC TO ALLOW A BATTERY STORAGE ENERGY FACILITY IN A LIGHT INDUSTRY ("LI") DISTRICT, LOCATED AT 1335 MEMPHIS STREET, BEARING A LEGAL DESCRIPTION OF THE EAST 6.6040 ACRES OUT OF BLOCK 3, PAUL HILL SUBDIVISION SUBJECT TO: 1.) THE CONDITIONS OUTLINED IN THE BODY OF THE ORDINANCE.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a special use permit 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 special use permit having been fully made and complied with as required by said Code of Ordinances and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Special Use Permit (SUP) to allow a battery storage energy facility in a Light Industry ("LI") District located at 1335 Memphis Street, bearing a legal description of the East 6.6040 acres of Block 3 of the Paul Hill Subdivision. Applicant: Ravenvolt, LLC as shown in Exhibit A, subject to:

1. Comply with Planning ordinances and regulations, Fire Prevention Bureau's regulations, Engineering's ordinances and regulations, and Building Inspections ordinances and regulations.
2. Install and maintain an 8-foot solid wall along the southwest and northeast boundaries of the property with landscaping and an irrigation system between the wall and the pavement
3. The project must be approved by the Fire Chief prior to a building permit being issued.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Building Inspection Inspector and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof

being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within by the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

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

FINALLY ENACTED this ____ day of _____, 2025 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

[illegible]

CONFIDENTIAL AND COMPETITIVELY SENSITIVE

[illegible]

PRELIMINARY



1. 姓名: 张三
 2. 性别: 男
 3. 年龄: 25
 4. 职业: 程序员
 5. 地址: 北京市朝阳区
 6. 电话: 13800138000

[illegible][illegible]

E3

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(e)

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to authorize the city manager to submit a letter to the Cameron County Judge to request authorization to annex Chester Park Road from the intersection of Palm Court Drive to approximately 220 feet north of the US Expressway 83 frontage road. 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*

*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: *66* ☒ Yes ☐ No ☐ N/A

Comments:

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



January 16, 2025

Dear Honorable Judge Trevino:

I write to request authorization to annex Chester Park Road from the intersection of Palm Court Drive to approximately 220 feet north of the US Expressway 83 frontage road.

The reason for the request is to make improvement to the roadway for economic development purposes.

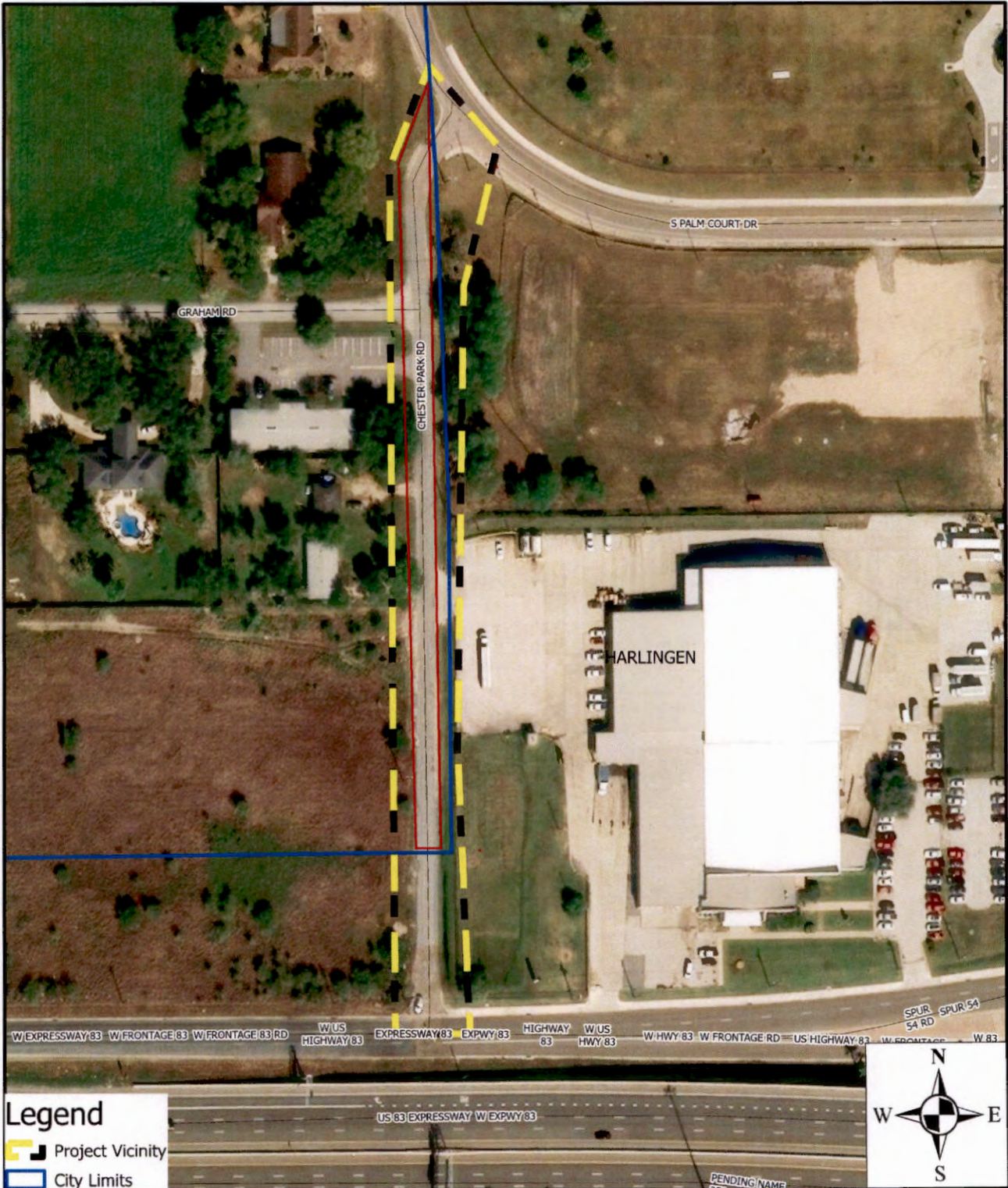
I am aware that with the annexation the city will own and maintain the roadway segment in perpetuity.

This request was approved by the City Commission during their January 15, 2025, meeting.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Gabriel Gonzalez, CPM
City Manager



Legend

- Project Vicinity
- City Limits



City of Harlingen
Engineering Department
502 E. TYLER AVE.
HARLINGEN, TX 78550
(956) 216-5280

CHESTER PARK RD - ANNEXATION

0

70

140

Feet

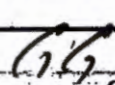
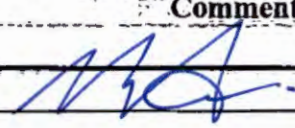
EXHIBIT NUMBER:
01
SHEET 1 OF 1

PROJ. NO:	
DATE:	December 2024
DRAWN BY:	RH
REVIEWED BY:	
ISSUED FOR:	

1049

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:	
Consideration and Possible Action to Authorize the Purchase of Vehicle to Replace Unit 328, a Public Buildings Unit Deemed to Be a Total Loss.	
Prepared By: Christopher D. Torres, Director 	
Brief Summary:	
Consideration and possible action on the authorization to purchase a replacement vehicle for Unit 328, a Public Buildings unit that has been deemed a total loss. The Texas Municipal League (TML) has approved a payment of \$3,709.00 for the vehicle, and the remaining funds required for the replacement vehicle amount to \$36,823.00. $41,000 - 3,709 = 36,823$. The total cost of the replacement vehicle is outlined, and approval is being sought to proceed with the purchase, ensuring the department can maintain operational efficiency and continue to provide essential public services.	
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: 	

1401 W.BUSINESS 77
P.O.BOX 1871
SAN BENITO, TX 78586
WWW.BOSWELLAUTO.COM



EMAIL: ROBGARCIA@BOSWELLAUTO.COM
PHONE: 1-888-233-5721/(956)899-2468
FAX: (956)899-4707

MOTOR VEHICLE PURCHASE ORDER

Purchaser CITY OF HARLINGEN Salesman Robert Garcia Date 11/22/2024
Address _____ Residence Phone _____ Bus. Phone _____
City _____ State TX Zip _____

I hereby offer to purchase from you under the terms and conditions specified, the following:

Delivery is to be made _____ or as soon thereafter as possible. It is agreed, however, that neither you nor the Manufacturer will be liable for failure to effect delivery.

DESCRIPTION OF SALE UNIT					
Quantity 1	☒ New ☐ Used	Year 2025	Make FORD	Cyl. 2.7L	Model F150 XL
Body Style SUPER CAB		Stock No. ORDER	Color WHITE		
Vehicle Identification No.			License No.		
Inspection	Mileage	Validation No.			
USED CAR TRADE-IN					
Year	Make	Body Type			
Model		Cyl.	Mileage		
Vehicle Identification No.			License No.		
Inspection		Validation No.			
Appraised Value of Trade-in \$		FMCC Deal No.			
TIPS-USA VENDOR #7490 CONTRACT #210907					

DOCUMENTARY FEE. A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE. A DOCUMENTARY FEE IS NOT REQUIRED BY LAW, BUT MAY BE CHARGED TO BUYERS FOR HANDLING DOCUMENTS AND PERFORMING SERVICES RELATED TO CLOSING OF A SALE. A DOCUMENTARY FEE MAY NOT EXCEED \$25. THIS NOTICE IS REQUIRED BY LAW. THE DEALER'S INVENTORY TAX CHARGE IS INTENDED TO REIMBURSE THE DEALER FOR AD VALOREM TAXES ON ITS MOTOR VEHICLE INVENTORY. THE CHARGE, WHICH IS PAID BY THE DEALER TO THE COUNTY TAX ASSESSOR/COLLECTOR, IS NOT A TAX IMPOSED ON A CONSUMER BY THE GOVERNMENT, AND IS NOT REQUIRED TO BE CHARGED BY THE DEALER TO THE CONSUMER.

AVISO

EL COBRO DOCUMENTAL NO ES UN COBRO OFICIAL. EL COBRO DOCUMENTAL NO ES REQUISITO BAJO LA LEY, PERO SE LE PUEDE COBRAR AL COMPRADOR POR EL RENDIMIENTO DE LOS SERVICIOS RELACIONADOS CON LA COMPLETACION DE LA VENTA Y POR COMPLETAR LOS DOCUMENTOS. EL COBRO DOCUMENTAL NO PUEDE SOBREPASAR LOS \$50.00 (U.S.) ESTE AVISO ES REQUERIDO BAJO LA LEY. EL COBRO DEL CONCESSIONARIO POR IMPUESTOS AL INVENTARIO ES PARA REEMBOLSAR AL CONCESSIONARIO POR IMPUESTOS POR EL VALOR DE SU INVENTARIO DE VEHICULOS MOTORIZADOS. ESTE CARGO, QUE HACE EL CONCESSIONARIO AL RECOLECTOR-EVALUADOR DE IMPUESTOS DEL CONDADO, NO ES UN IMPUESTO IMPUTADO AL CONSUMIDOR POR EL GOBIERNO, Y NO SE REQUIERE QUE SEA COBRADO AL CONSUMIDOR POR EL CONCESSIONARIO.

DISCLAIMER OF WARRANTIES

Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the Seller neither assumes nor authorizes any other to assume for it any liability in connection with the sale of said products.

PRICE OF UNIT	\$ 43655	00
BEF-GP DISC	-3130	00
Selling Price	\$ 40525	00
Trade Allowance	\$	
Difference	\$	
Sales Tax	\$	
License and Titles Fees	\$	
State Inspection	\$ 7	00
Documentary Fee	\$	
Dealer Inventory Tax	\$	
Subtotal	\$	
Add Balance Owed on Trade	\$	
Subtotal	\$	
Cash on Delivery	\$	
Unpaid Balance Due	\$ 40532	00

I understand and agree to the terms of this order, whether on the front or the reverse side. This order contains the entire agreement proposed for the purchase of the above described vehicle and no other agreement or understanding of any nature concerning this transaction has been made unless attached to this order and signed by the seller and buyer. Seller makes no representations concerning fuel economy of the sale unit and any information posted on the sale unit or contained in literature relating to the same reflect the results of tests performed, required or prescribed by a government agency, upon which seller has relied. If the sale unit is a used motor vehicle: (1) seller will deliver to the buyer an Odometer Disclosure Statement based on written information relating to the sale unit obtained from the previous owner and upon which seller has relied; and (2) seller has obtained from the previous owner a written Certificate of Title prepared by the State Department of Highways and Public Transportation from its official records, all of the information in which seller has relied upon in the Description of Sale Unit in this order.

Seller's Signature Robert Garcia Purchaser's Signature _____ Date _____



Preview Order H001 - X1K - 4x2 XL SuperCab: Order Summary Time of Preview: 11/22/2024 11:51:48 Receipt: NA

Dealership Name: Boswell Elliff Ford

Sales Code : F52128

Dealer Rep. ROBERTO GARCIA

Type Fleet

Vehicle Line F-150

Order Code H001

Customer Name HARLINGEN

Priority Code B1

Model Year 2025

Price Level 535

DESCRIPTION	MSRP	DESCRIPTION	MSRP
F150 4X2 SUPERCAB XL - 145	\$41660	FORD FLEET SPECIAL ADJUSTMENT	\$0
145 INCH WHEELBASE	\$0	FRONT LICENSE PLATE BRACKET	\$0
TOTAL BASE VEHICLE	\$41660	50 STATE EMISSIONS	\$0
OXFORD WHITE	\$0	EXTENDED RANGE 36GAL FUEL TANK	\$0
CLOTH 40/20/40 FRONT SEAT	\$0	PRICE CONCESSION INDICATOR	\$0
MEDIUM DARK SLATE	\$0	REMARKS TRAILER	\$0
EQUIPMENT GROUP 101A	\$0	SPECIAL DEALER ACCOUNT ADJUSTM	\$0
.XL SERIES	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
.17" SILVER STEEL WHEELS	\$0	FUEL CHARGE	\$0
2.7L V6 ECOBOOST	\$0	NET INVOICE FLEET OPTION (B4A)	\$0
ELEC TEN-SPEED AUTO TRANS	\$0	PRICED DORA	\$0
.245/70R 17 BSW ALL-SEASON	\$0	ADVERTISING ASSESSMENT	\$0
3.55 RATIO REGULAR AXLE	\$0	DESTINATION & DELIVERY	\$1995
6365# GVWR PACKAGE	\$0		
TOTAL BASE AND OPTIONS			MSRP \$43655
DISCOUNTS			NA
TOTAL			\$43655

ORDERING FIN: QB589 END USER FIN: QB589

INCENTIVES

DISCOUNTS:

Acc. Code ID :10 Contract/Ref # :05-0135 Bid Date :07/30/24State : TX

\$-2300.00

Customer Name:

City of Harlingen

Customer Email:

Customer Address:

Customer Phone:

Customer Signature

Date

Ruth Trevino

From: Christopher Torres
Sent: Tuesday, December 3, 2024 4:26 PM
To: Ruth Trevino
Subject: FW: TX0000000229397 - VIN 3088 DOL: 11/15/2024

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



From: Claudia Caballero <ccaballero@harlingentx.gov>
Sent: Tuesday, December 3, 2024 2:31 PM
To: Guillermo Rodriguez <grodriguez@harlingentx.gov>
Cc: Christopher Torres <ctorres@harlingentx.gov>
Subject: FW: TX0000000229397 - VIN 3088 DOL: 11/15/2024

Guillermo,

Good Afternoon. I'm forwarding this email for your review & feedback regarding the settlement option for the F150 VIN 3088. Can you please email me back on your decision?

Thank you in advance.

Sincerely,



Claudia Caballero

Risk & Benefits Manager

P. (956) 216-5020 Ext. 5027

F. (956) 216-5026

118 E. Tyler Ave. | P.O. Box 2207
Harlingen, TX 78550

From: Stephanie Allen <alpmail@tmlirp.org>
Sent: Tuesday, December 3, 2024 2:03 PM
To: Claudia Caballero <ccaballero@harlingentx.gov>
Subject: TX0000000229397 - VIN 3088 DOL: 11/15/2024

Good afternoon,

Hope your day is going well so far. The vehicle was inspected and deemed a total loss.

Settlement options:

Option 1- TML takes possession of the vehicle salvage.

Settlement = \$6,209 market value - \$2,500 deductible = \$3,709 payment

Option 2- The City keeps the vehicle salvage.

Settlement = \$6,209 market value - 2,596.34 salvage - \$2,500 deductible = \$1,112.66 payment

Please let me know which option the city would like to proceed with.

Please ensure that the vehicle does not accrue any storage fees at its current location.

Sincerely,

Stephanie Allen

Auto Claims Processor

Direct: 512-491-2422 | Toll-Free: 800-537-6655

Fax: 512-491-2366

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(9)

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to approve an extension on the contract between the City of Harlingen and Dr. Robert Kellogg, DVM to continue providing services to the Harlingen Animal Shelter as needed.

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

Signature: 

Brief Summary:

The City of Harlingen Health Department is requesting to extend the contract with Dr. Robert Kellogg, DVM to continue providing services such as developing and implementing vaccine protocols, animal assessment procedures, recommendations on humane outcomes for animals. He would also be monitoring medical advancements of animal protocols related to animals in the shelter and provide veterinary expertise. The length of the contract is for 6 months starting January 22, 2025, to July 21, 2025, for \$600 monthly charge, totaling to \$3,600.

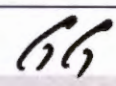
Funding (if applicable):

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

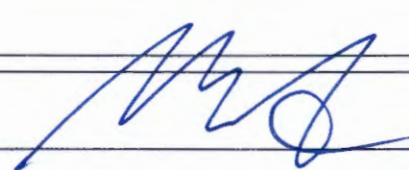
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

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

Comments:

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

GENERAL SERVICES CONTRACT

This Contract (Contract) is made between the City of Harlingen, Texas (City), and Dr. Robert Kellogg, DVM ("Contractor"). The City and Contractor agree to the terms and conditions of this Contract, which consists of the following parts:

- I. Summary of Contract Terms
- II. Standard Contractual Provisions
- III. Signatures

I. Summary of Contract Terms

Contractor: Robert Kellogg, DVM

Brief Description of Services: Provide medical assessments and recommendations, administer vaccinations to animals, provide in person and phone consultations as needed to ensure humane care for all animals in the Harlingen Animal Shelter.

Maximum Contract Amount: \$3,600 for 6 months

Develop and Implement vaccine protocols, animal assessment procedures, recommendations on humane outcomes for animals. Monitor medical advancements of animal protocols related to animals in the shelter and provide veterinary expertise - \$600 monthly.

Length of Contract: Six (6) months period from date of January 22, 2025, and enacted by City of Harlingen and Contractor's signature.

Effective Date: January 22, 2025,

Expiration Date: July 21, 2025

II. Standard Contractual Provisions

A. Definitions

Contract means this Standard Services Contract.

Premises 1106 Markowsky

Doctor of Veterinary Medicine means the Contractor.

Project Administrator means the person duly designated by the City to manage the services provided for in this Contract.

Services means the services for which the City requested as described in this Contract.

B. Services

Contractor will furnish Services to the City in accordance with the terms and conditions specified below herein and incorporated for all purposes:

1. Routine assessment of animals in the Harlingen Animal Shelter.
2. Make recommendation to the Animal Shelter Manager for vaccination protocols and procedure changes,
3. Serve as an advisor for city staff on veterinary care.

C. Payment

The City shall pay Contractor for the Services specified below. Project Administrator inspection and approval is required before payment is made to Contractor:

1. Routine Office, Lab, Clinical, and Prevention and Control of Animal Disease work - Contractor will bill the city monthly for these services.

D. Conditions

This contract is subject to the following conditions:

1. The Project Administrator will regularly review services for compliance with the terms of this Contract.
2. Contractor is anticipated to spend 8 - 25 hours monthly on average as approved by Health Director due to required medical needs.
3. Contractor, shall prior to execution of this agreement, provide proof of valid state veterinary licensure and shall maintain said license in good standing for the duration of this Agreement.

E. Termination Provisions

1. Either Party can terminate this Agreement at any time and for any reason with a 30-day notice.

F. Confidentiality. Any provision of this Contract that attempts to prevent the City's disclosure of information that is subject to disclosure under federal or Texas law or regulation, court or administrative decision or ruling, regardless of the source is invalid. (Chapter 552, Texas Government Code).

G. Tax Exemption. The City is not liable to Contractor for any federal, state or local taxes for which the City is not liable by law, including state and local sales and use taxes (Section 151.309 and Title 3, Texas Tax Code) and federal excise tax (Subtitle D of the Internal Revenue Code). Accordingly, those taxes may not be added to any item purchased for consumption by the city. Fuel purchased for resale shall include Federal Excise Tax under IRC Section 4081 and Texas Motor Fuel Tax if required under the

Texas Tax Code Chapter 162. Texas limited sales tax exemption certificates will be furnished upon request. Contractor shall not charge for said taxes on purchases for consumption by the City. If billed, the city will remit payment less sales tax.

- H. Assignment. The Contractor shall not assign this Contract without the prior written consent of the City.
- I. Law, Venue and Limitations. This Contract is governed by the laws of the State of Texas and a lawsuit may only be prosecuted on this Contract in a court of competent jurisdiction located in or having jurisdiction in Cameron County, Texas.
- J. Entire Contract. This Contract and the provisions of the Exhibits represent the entire Contract between the City and the Contractor and supersedes all prior negotiations, representations, or contracts, either written or oral. This Contract may be amended only by written instrument signed by both parties.
- K. Independent Contractor. Contractor shall perform the work under this Contract as an independent contractor and not as an employee of the City. The City has no right to supervise, direct, or control the Contractor or Contractor's officers or employees in the means, method, or details of the work to be performed by Contractor under this Contract. The City and Contractor agree that the work performed under this Contract is not inherently dangerous, that Contractor will perform the work in a workmanlike manner, and that Contractor will take proper care and precautions to ensure the safety of Contractor's officers and employees.
- L. Dispute Resolution Procedures. The Contractor and City desire an expeditious means to resolve any disputes that may arise between them regarding this Contract. If either party disputes any matter in relation to this Contract, the parties agree to try in good faith, before bringing any legal action, to settle the dispute by submitting the matter to non-binding mediation before a third party who will be selected by agreement of the parties. The parties will each pay one-half of the mediator's fees.
- M. Severability. If a court finds or rules that any part of this Contract is invalid or unlawful, the remainder of the Contract continues to be binding on the parties.

III. Signatures. By signing below, the parties agree to the terms of this Contract:

CONTRACTOR:

CITY OF HARLINGEN

Dr. Robert Kellogg, DVM

Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

10(h)

EXECUTIVE SUMMARY

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to accept or deny a donation offered by the Lt. Thomas Barlow Chapter National Society Daughters of the American Revolution for two (2) 30-gallon sized native trees to be planted at Pendleton Park Veterans Memorial. Attachment (**Parks & Recreation**)

Prepared By: Javier Mendez

Title: Director of Parks and Recreation

Signature: **Javier Mendez**

Brief Summary:

Summary

The Lt. Thomas Barlow Chapter of the National Society Daughters of the American Revolution (DAR) have purchased two 30-gallon sized native trees and are asking the City to accept the donation in honor and memory of our patriots and all Veterans who have bravely served our country. The organization would like to donate these trees to the City of Harlingen to be placed and planted as a living tribute at the Veterans Memorial at Pendleton Park on February 19, 2025. The National Society Daughters of the American Revolution (DAR) is a non-political women's service organization, established in 1890, whose members are lineally descended from Patriots of the American Revolution.

Staff recommends accepting the donation.

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 the City Commission approve the acceptance of the 2 30-Gallon native trees and to approve the planting at the Veterans Memorial at Pendleton Park.

City Manager's approval:

66

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

[Signature]

☒ Yes ☐ No ☐ N/A



The Lt. Thomas Barlow Chapter, NSDAR
Requests the honor of your presence for an
America 250! Celebration

Tree Planting Ceremony
February 19, 2025 @ 4:30 pm
Pendleton Park Veterans Memorial Pavilion
Morgan & Grimes, Harlingen
Immediately following, A reception will be held
at The American Revolution Experience
Traveling Exhibit
Harlingen Arts and Heritage Museum

2425 Boxwood St. Harlingen

RSVP Pat Keltner (956) 454-5420

Proclamation Template

Offered by the National Society Daughters of the American Revolution

To _____ (city, county, state) and _____ (mayor, city council, supervisors, governor)

WHEREAS; On July 4, 2026, our nation will commemorate the Semiquincentennial anniversary of the signing of the Declaration of Independence; and

WHEREAS; The journey toward this historic milestone is an opportunity to reflect on our nation's past, honor the contributions of all Americans, and look ahead to the future generations who will carry forward the ideals of democracy and individual liberty that make the United States a unique nation in the world community; and

WHEREAS; The National Society Daughters of the American Revolution (DAR) is a non-political women's service organization, established in 1890, whose members are lineally descended from Patriots of the American Revolution; and

WHEREAS; Through the President General's leadership, all Daughters are spending the next three years Celebrating Stars & Stripes Forever and Rejoicing in our DAR Ties of Service and Friendship by celebrating our nation's rich history and diversity, promoting belonging through membership and dedicated service to God, Home, and Country, and by completing projects in unique, local and impactful ways; and

WHEREAS; From the 250th anniversary of the Boston Tea Party in 2023 until the 250th anniversary of the signing of the Treaty of Paris in 2033, Daughters are celebrating our nation's rich history and diversity of experience by honoring all men and women who achieved American independence. These Patriots, believing in the noble cause of liberty fought valiantly to establish a new nation; and

WHEREAS; The Lt. Thomas Barlow Chapter of the National Society Daughters of the American Revolution (DAR) have purchased two trees in honor and memory of our patriots and all Veterans who have bravely served our country, we proudly donate these trees to the City of Harlingen to be placed as a living tribute at the Veterans Memorial Pavilion at Pendleton Park on February 19, 2025. NOW THEREFORE BE IT....

RESOLVED THAT I, NAME, TITLE, JURISDICTION commend this commemoration to all our CITY/COUNTY/STATE residents.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal....

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(i)

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to approve a three-year lease agreement with RGV Pro Soccer Project organization for the use of the field and facilities at the Harlingen Field. Attachment **(Parks & Recreation)**

Prepared By: Javier Mendez

Title: Director of Parks and Recreation

Signature:

Summary:

Summary

On December 4th, the City Commission authorized the City Manager to negotiate with the organizers of the RGV Pro Soccer Project for the use of the field and facilities at Harlingen Field. A draft agreement was prepared with a primary 1-year term with two additional 1-year provisional renewals. A compensation fee of \$1,000 per month is being proposed for the months that the lessee occupies the facility. Lessee will be responsible for the concession operations and revenue, plus an option to collect parking fees. The Lessee agrees to occupy the facility as is and will be responsible for grounds and building maintenance associated to clean up after games. The city will maintain the condition of the fields, cover utility expenses and any other major maintenance to the buildings or support facilities, such as the lights, audio, parking, changing rooms, stadium seating and restrooms.

Staff Recommendation:

Staff recommends approval of a lease agreement with RGV Pro Soccer Project for a term of 3 years.

City Manager's approval:

GG

☒ Yes

☐ No

☐ N/A

Comments:

City Attorney's approval:

[Signature]

☒ Yes

☐ No

☐ N/A

10(3)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Parks and Wildlife Recreational Trails Program. Attachment (*Special Projects Department*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Texas Parks and Wildlife Department (TPWD) administers the Texas Recreational Trails Program, which provides funding for publicly accessible recreational trail projects, including construction of new recreational trails, improvements to existing trails, development of trailhead or trailside facilities, and acquisition of trail corridors. The maximum grant award for non-motorized trail projects is \$300,000 (for a total project cost of \$375,000). The local match requirement for the grant program is 20 percent of the total project cost.

Staff is requesting direction from the City Commission to prioritize and select a trail project to be submitted to the Texas Recreational Trails Program on February 3rd, 2025. Staff is also requesting that the City Commission's support be memorialized via a resolution, as required by grant guidelines. The Parks and Recreation Department's preliminary list of projects has been included for the City Commission's consideration.

The grant application will be prepared by the Special Projects Department with support from the Parks and Recreation Department.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of this Resolution.

City Manager approval:

GG

Comments:

City Attorney's approval:

Mr. [Signature]

RESOLUTION NO. -2024

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS AUTHORIZING THE SUBMISSION OF A RECREATIONAL TRAILS GRANT APPLICATION.

WHEREAS, the City of Harlingen is fully eligible to receive assistance under the Texas Parks and Wildlife Department's Recreational Trails Grant Program; and

WHEREAS, the aforementioned grant opportunity is a reimbursement grant program with a 20% local match requirement.

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

Section 1

The City of Harlingen acknowledges that it has the financial resources to meet the grant program requirements.

Section 2

The City of Harlingen acknowledges that, if funded, the project must be maintained and open to the public for a period of at least 20 years after project completion; and

Section 3

The City of Harlingen authorizes the submission of Recreational Trails Program grant application to the Texas Parks and Wildlife Department and designates Ana Hernandez, Special Projects Director, as the point of contact, and Gabriel Gonzalez, City Manager, as the official signatory for grant contracts and amendments relating to the Recreational Trails Grant Program.

PASSED AND APPROVED this 15th day of January 2024.

Norma Sepulveda, Mayor

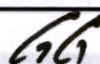
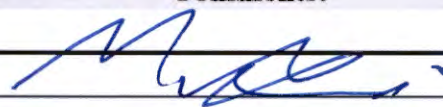
ATTEST:

Amanda Elizondo, City Secretary

10(K)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the City Manager to submit a planning grant application to the Rio Grande Valley Metropolitan Planning Organization FY 2025 – 2027 Transportation Alternatives Set-Aside (TASA) Grant Program. Attachment (<i>Special Projects Department</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The Rio Grande Valley Metropolitan Organization (RGVMPO) TASA Grant Program is providing funds authorized by the Surface Transportation Block Grant Program. The grant program is on a reimbursement basis and requires a 20% match. Projects are expected to reflect community consensus and contribute to the RGVMPO's Active Transportation Plan.
The City of Harlingen will submit a planning grant application to connect four high-priority trails within the Trails Master Plan that align with the RGVMPO's goals and will be required to contribute a 20% match towards the grant award.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this Resolution.
City Manager approval: 
Comments:
City Attorney's approval: 

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE CITY OF HARLINGEN, TEXAS AUTHORIZING THE CITY MANAGER TO SUBMIT A PLANNING GRANT APPLICATION FOR A TRAIL CONNECTING DIXIELAND TO LON C. HILL TO THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION (RGVMPO) UNDER THE FY 2025 – 2027 TRANSPORTATION ALTERNATIVES SET-ASIDE (TASA) PROGRAM; AND AUTHORIZING THE COMMITMENT OF A LOCAL MATCH FOR SAID PROJECT.

WHEREAS, the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) issued a call requesting proposals from communities within its planning jurisdiction to apply for federal funding under the Transportation Alternatives Set-Aside (TASA) Program Call for Projects; and,

WHEREAS, funding made available through the TASA Program is intended to support and expand alternative modes of transportation, such as planning and construction of pedestrian and bicycle facilities, recreational trails, and safe routes to school projects, among others; and,

WHEREAS, the City of Harlingen intends to submit a planning grant application to connect four high priority trails within the Trails Master Plan; and,

WHEREAS, the TASA Program guidelines require a minimum 20 percent local funding match, but the City plans to pursue a reduced local match under the Texas Department of Transportation's Economically Disadvantaged County Program; and,

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

NOW, THEREFORE, BE IT RESOLVED that the City Manager or designee is authorized to submit a grant application to the TASA Program Call and act on behalf of the City of Harlingen in all matters related to the grant application.

IT IS FURTHER RESOLVED that the City Manager is hereby authorized to commit the required 20 percent in City funds as non-federal matching dollars for this grant application by the City of Harlingen.

CONSIDERED AND ADOPTED this **15th day of January 2025** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

Norma Sepulveda, Mayor

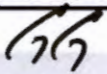
ATTEST:

Amanda C. Elizondo, City Secretary

10(L)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the City Manager to submit a construction grant application to the Rio Grande Valley Metropolitan Planning Organization FY 2025 – 2027 Transportation Alternatives Set-Aside (TASA) Grant Program. Attachment (<i>Special Projects Department</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The Rio Grande Valley Metropolitan Organization (RGVMPO) TASA Grant Program is providing funds authorized by the Surface Transportation Block Grant Program. The grant program is on a reimbursement basis and requires a 20% match. Projects are expected to reflect community consensus and contribute to the RGVMPO's Active Transportation Plan.
The City of Harlingen will submit a grant application to make safety improvements for pedestrians alongside Dixieland Road (project limits still being defined), including adding sidewalks, intersection improvements, and lighting.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this Resolution.
City Manager approval: 
Comments:
City Attorney's approval: 

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE CITY OF HARLINGEN, TEXAS AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION FOR SAFETY IMPROVEMENTS ALONG DIXIELAND RD. TO GARRETT RD. TO THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION (RGVMPO) UNDER THE FY 2025 – 2027 TRANSPORTATION ALTERNATIVES SET-ASIDE (TASA) PROGRAM; AND AUTHORIZING THE COMMITMENT OF A LOCAL MATCH FOR SAID PROJECT.

WHEREAS, the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) issued a call requesting proposals from communities within its planning jurisdiction to apply for federal funding under the Transportation Alternatives Set-Aside (TASA) Program Call for Projects; and,

WHEREAS, funding made available through the TASA Program is intended to support and expand alternative modes of transportation, such as planning and construction of pedestrian and bicycle facilities, recreational trails, and safe routes to school projects, among others; and,

WHEREAS, the City of Harlingen intends to submit a grant application to make safety improvements for pedestrians alongside Dixieland Rd. to Garrett Rd.; and,

WHEREAS, the TASA Program guidelines require a minimum 20 percent local funding match, but the City plans to pursue a reduced local match under the Texas Department of Transportation's Economically Disadvantaged County Program; and,

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

NOW, THEREFORE, BE IT RESOLVED that the City Manager or designee is authorized to submit a grant application to the TASA Program Call and act on behalf of the City of Harlingen in all matters related to the grant application.

IT IS FURTHER RESOLVED that the City Manager is hereby authorized to commit the required 20 percent in City funds as non-federal matching dollars for this grant application by the City of Harlingen.

CONSIDERED AND ADOPTED this **15th day of January 2025** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

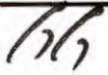
Norma Sepulveda, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 15, 2025**

Agenda Item:	
Consideration and possible action to authorize the City Manager to submit the participation form to enter into the Kroger Opioid Settlement. Attachment (<i>City Manager</i>)	
Prepared By: Gabriel Gonzalez, City Manager	
Brief Summary:	
The proposed Settlement requires Kroger to pay \$83 million (the "Settlement Amount") to Texas and its political subdivisions. Of the Settlement Amount, the vast majority is earmarked for use by Texas and its subdivisions to remediate and abate the impacts of the opioid crisis. The Settlement also contains injunctive relief provisions governing the opioid marketing as well as the sale and dispensing practices at the heart of the opioid claims in the lawsuits.	
The City of Harlingen is estimated to receive \$12,459.39.	
The deadline has now been extended until January 28, 2025.	
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:	

Hermelinda Gonzales

From: Opioids <opioids@oag.texas.gov>
Sent: Thursday, November 14, 2024 4:05 PM
To: Opioids
Subject: NOTICE: KROGER OPIOID SETTLEMENT
Attachments: Kroger Subdivision Participation Form 10.30.24.pdf



TO LOCAL POLITICAL SUBDIVISIONS:
IMPORTANT INFORMATION ABOUT NEW OPIOID SETTLEMENT WITH KROGER.
SUBDIVISIONS MUST SUBMIT SIGNED DOCUMENTATION TO PARTICIPATE.
THE DEADLINE FOR PARTICIPATION IS DECEMBER 29, 2024.

This letter is part of the formal notice required by the Settlement.

If your subdivision is represented by an attorney with respect to opioid claims, please immediately contact them.

Please note that this settlement is a **NEW** opioid settlement; your subdivision may have previously submitted documents for the Distributors, Janssen/J&J, Endo, Teva, Allergan, Walmart, Walgreens, CVS, and Mallinckrodt settlements.

To participate in the Kroger settlement, you will need to submit new documentation.

WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?

You are receiving this letter because Texas settled with Kroger, and your subdivision may participate in this Settlement. This notice is being sent directly to subdivisions who are not litigating against Kroger. If you are represented by an attorney with respect to opioid claims, please immediately contact them. Please note that there is no need for subdivisions to be represented by an attorney or to have filed a lawsuit to participate in the Settlement.

Your subdivision may have already signed on to other opioid settlements and adopted the Texas Term Sheet. **If so, do not disregard this notice. This is a new settlement with Kroger.** If you have already signed on to the Kroger Settlement, you may disregard this notice.

HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

All required documentation must be executed and submitted to the email address: opioids@oag.texas.gov. Your subdivision will need to submit the Subdivision Participation Form for the Kroger

settlement to opioids@oag.texas.gov. Please also be sure to include in the Form the identity and email address of the individual who is authorized to sign formal and binding documents on behalf of your subdivision.

SETTLEMENT OVERVIEW

The proposed Settlement requires Kroger to pay \$83 million (the “Settlement Amount”) to Texas and its political subdivisions. Of the Settlement Amount, the vast majority is earmarked for use by Texas and its subdivisions to remediate and abate the impacts of the opioid crisis. The Settlement also contains injunctive relief provisions governing the opioid marketing as well as the sale and dispensing practices at the heart of the opioid claims in the lawsuits.

The subdivisions within Texas are entitled to decide whether they wish to participate in the settlement. Any subdivision that does not participate cannot directly share in any of the settlement funds.

WHERE CAN YOU FIND MORE INFORMATION?

This email is intended to provide a brief overview of the Settlement. Detailed information about the Settlement may be found at the website set up by Office of the Attorney General of Texas: <https://www.texasattorneygeneral.gov/globalopioidsettlement>.

WHY YOU SHOULD PARTICIPATE

Texas and the Litigating Political Subdivisions in Texas support of this settlement.

Subdivision participation is strongly encouraged, for the following reasons:

First, the amounts to be paid under the Settlement, while insufficient to abate the epidemic fully, will contribute to allowing Texas and its local governments to commence with meaningful change designed to curb opioid addiction, overdose, and death, following on the Distributors and Johnson & Johnson/Janssen settlements from 2021, the Teva and Endo settlements from 2022, the Mallinckrodt bankruptcy settlement in 2023, and the Allergan, CVS, Walmart, and Walgreens settlements from 2023;

Second, time is of the essence. The opioid epidemic continues to devastate communities around the country, and it is critical that the funds begin to flow to allow governments to address the epidemic in their communities *as soon as possible*; and

Third, you know first-hand the effects of the opioid epidemic on your community. Funds from this settlement will be used to commence abatement of the crisis and provide relief to your citizens while litigation and settlement discussions proceed against numerous other defendants in the opioid industry.

HOW WILL SETTLEMENT FUNDS BE ALLOCATED IN TEXAS?

The Texas Term Sheet, which sets the allocation between subdivisions and the State, can be found on the Texas Attorney General’s website. Any questions concerning the status or terms of the Texas Term Sheet and allocations in Texas can be directed to the Texas Attorney General’s Office.

You may be contacted by the Texas Attorney General's Office with additional information regarding the allocation of settlement funds in Texas. Subdivisions with representation can expect information from their attorneys. We encourage you to review all materials and to follow up with any questions. The terms of these settlements are complex, and we want to be sure you have all the information you need to make your decision.

As with the other opioid settlements, the Texas Comptroller of Public Accounts and the Texas Opioid Council will disburse funds to participating political subdivisions in Texas.

NEXT STEPS

This settlement requires that you take affirmative steps to 'opt in' to the settlement. If you do not act, you will not receive any settlement funds.

First, have your authorizing person(s) or body begin to review the materials on the website concerning the settlement agreement terms and the Texas Term Sheet. Develop a list of questions for your counsel or the Texas Attorney General's Office. Your subdivision will need to begin the process of deciding whether to participate in the proposed settlement, and subdivisions are encouraged to work through this process well before the **December 29, 2024**, deadline. Again, the Texas Attorney General's Office, your counsel, and other contacts within the state are available to discuss the specifics of the settlements within your state and we encourage you to discuss the terms and benefits of the settlements with them.

Second, should you decide to proceed with participating, your subdivision will need to submit your signed Subdivision Participation Form to opioids@oag.texas.gov.

NOTE: If your subdivision has not already done so, your subdivision will need to adopt the Texas Term Sheet and its intrastate allocation schedule. If your subdivision has previously signed on to the Distributors, J&J/Janssen, Endo, Teva, Allergan, CVS, Walmart, and Walgreens settlements, you will have already adopted the Texas Term Sheet. There is no need to readopt the Texas Term Sheet. If you have NOT adopted the Texas Term Sheet, please contact opioids@oag.texas.gov.

We urge you to view the Texas Attorney General's website at your earliest convenience. Information and documents regarding the settlement can be found on the settlement website at: <https://www.texasattorneygeneral.gov/globalopioidsettlement>

Questions regarding the opioid settlements can be directed to: opioids@oag.texas.gov.

FREQUENTLY ASKED QUESTIONS

1. **My subdivision already signed up for opioid settlements, is that good enough for these new settlements?**

No, you will need to submit a new **Subdivision Participation Form** for the Kroger Settlement; opting into the other settlements does not sign you up for this one.

2. **Does my subdivision need to pass a resolution to sign up for this settlement?**

This depends on the specifics of what your county or city is required to do to release legal claims. If your city manager, for example, is authorized to generally enter into opioid settlements, you may not need a resolution. Consult your legal counsel for advice.

If your subdivision has already adopted the Texas Term Sheet to sign on to a previous opioid settlement, you do NOT need to adopt an additional resolution to readopt the Texas Term Sheet.

3. When will my subdivision receive funds from this settlement and/or the other settlements?

Funds for the Distributors, J&J/Janssen, Endo, Teva, Allergan, CVS, Walmart, and Walgreens, and Mallinckrodt settlements have been paid to the Texas Comptroller of Public Accounts and the Texas Opioid Council, and those funds continue to be distributed to participating subdivisions.

4. How much will my subdivision receive from the Kroger Settlement?

If you have questions about your subdivision's individual allocation amount, please contact opioids@oag.texas.gov.

5. What are all the different Texas opioid settlements?

Here is a summary of all the opioid settlements between Texas and its political subdivisions and the various manufacturers, distributors, and retail pharmacies:

Date Announced	Company	Amount
February 2021	McKinsey	\$38.4 million
July 2021	AmerisourceBergan, Cardinal Health, and McKesson	\$1.271 billion
July 2021	Janssen	\$296.9 million
December 2021	Endo	\$63 million
February 2021	Teva	\$150 million plus \$75 million in product plus \$57 million from MFN
June 2021	Mallinckrodt	\$26.6 million
December 2022	Allergan	\$135.7 million
December 2022	Walmart	\$170 million
December 2022	CVS	\$300.3 million
December 2022	Walgreens	\$326.6 million
February 2024	Publicis	\$21.5 million
October 2024	Kroger	\$83 million
Total	13 companies	\$3.016 billion

Exhibit A

TEXAS SETTLEMENT SUBDIVISION PARTICIPATION AND RELEASE FORM

Political Subdivision:	Texas
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("Texas Political Subdivision"), in order to obtain and in consideration for the benefits provided to the Texas Political Subdivision pursuant to the Kroger Texas Settlement Agreement and Full Release of All Claims dated October 30, 2024 ("Kroger Texas Settlement"), and acting through the undersigned authorized official, hereby elects to participate in the Kroger Texas Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Texas Political Subdivision above is aware of and has reviewed the Kroger Settlement Agreement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Texas Political Subdivision elects to participate in the Kroger Texas Settlement and become a Participating Texas Political Subdivision as provided therein.
2. The Texas Political Subdivision shall immediately cease any and all litigation activities as to the Released Entities and Released Claims and, within 14 days of executing this Participation and Release Form, its counsel shall work with Kroger's counsel to dismiss with prejudice any Released Claims that it has filed.
3. The Texas Political Subdivision agrees to the terms of the Kroger Texas Settlement pertaining to Texas Political Subdivisions as provided therein.
4. By agreeing to the terms of the Kroger Texas Settlement and becoming a Releasor, the Texas Political Subdivision is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date of the Release.
5. The Texas Political Subdivision agrees to use any monies it received through the Kroger Texas Settlement solely for the purposes provided therein.

6. The Texas Political Subdivision submits to the exclusive jurisdiction and authority of the Texas Consolidated Litigation Court as defined in the Kroger Texas Settlement. For the avoidance of doubt, nothing contained in this Participation and Release Form, or the Kroger Texas Settlement, constitutes consent to jurisdiction, express or implied, over the Texas Political Subdivision or its selected counsel to the jurisdiction of any other court (including without limitation MDL 2804, the MDL 2804 Fee Panel, the MDL 2804 Enforcement Committee, or the Court in which any Texas Consent Judgment is filed) for any purpose whatsoever.
7. The Texas Political Subdivision, as a Participating Texas Subdivision, has the right to enforce the Kroger Texas Settlement in the Texas Consolidated Litigation Court as provided therein.
8. The Texas Political Subdivision, as a Participating Texas Subdivision, hereby becomes a Releasor for all purposes in the Kroger Texas Settlement, including but not limited to all provisions of Section V (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Texas Political Subdivision hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entities in any forum whatsoever. The releases provided for in the Kroger Texas Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entity the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Texas Political Subdivision to release claims. The Kroger Texas Settlement shall be a complete bar to any Released Claim.
9. The Texas Political Subdivision hereby takes on all rights and obligations of a Participating Texas Subdivision as set forth in the Kroger Texas Settlement.
10. In connection with the releases provided for in the Kroger Texas Settlement, each Texas Political Subdivision expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Texas Political Subdivision hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Kroger Texas Settlement.

11. The Texas Political Subdivision acknowledges, agrees, and understands that the Maximum Texas Settlement Amount to be paid under the Kroger Texas Settlement for the benefit of the Participating Texas Political Subdivision, is less than or equal to the amount, in the aggregate, of the Alleged Harms allegedly suffered by the governmental entity, constitutes restitution and remediation for damage or harm allegedly caused by Kroger in order to restore, in whole or part, the governmental entity to the same position or condition that it would be in had it not suffered the Alleged Harms; and constitutes restitution and remediation for damage or harm allegedly caused by the potential violation of a law and/or is an amount paid to come into compliance with the law.
12. Nothing herein is intended to modify in any way the terms of the Kroger Texas Settlement Agreement, to which the Texas Political Subdivision hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Kroger Texas Settlement, the Kroger Texas Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Texas Political Subdivision.

Signature: _____
Name: _____
Title: _____
Date: _____

AGENDA ITEM EXECUTIVE SUMMARY

Meeting Date: **January 15, 2025**

Agenda Item:

Discussion and possible action to appoint a Chief of Police Review Committee for the position of Chief of Police for the City of Harlingen.

Prepared By (Print Name): Gabriel Gonzalez

Title: City Manager

Signature:

Gabriel Gonzalez

Brief Summary:

As you know, Chief of Police Mike Kester has submitted his intent to retire from the City of Harlingen after 35 years of service. His last day will be February 4, 2025. We will be advertising for this position in several locations. In the past, the City Commission has appointed a Chief of Police Review Committee to assist in the search. The Committee will recommend their top 3 candidates to the City Manager who will share the information with the City Commission and also provide his recommendation to the City Commission for Chief of Police.

What criteria the commission uses to establish eligibility to serve on the Committee is solely up to the commission however, I would suggest that some knowledge of law enforcement, legal experience or judicial experience be considered.

Funding (if applicable):

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

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

City Manager's approval:

GG

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☐ Yes ☐ No ☐ N/A