Notice is hereby given that the above governmental body will hold a Regular Meeting on Wednesday, October 3, 2018 5:30 P.M. in City Hall, Town Hall Meeting Room, 2nd Floor, and Harlingen, Texas.

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) 216-5003 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 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.

Invocation/Commissioner Victor Leal

Pledge of Allegiance/Welcome

1) Board Recognition

2) Presentation by Sergio Mujica, M.I.S. Director on the City’s Mobile App Activity Report. Attachment (M.I.S.)

3) Approval of Minutes
   a) Special Joint Meeting City Commission Meeting & Harlingen Community Improvement Board – August 23, 2018
   b) Regular Meeting – September 5, 2018

The following items are of a routine or administrative nature. The Council has been furnished with background material on each item and/or it has been discussed at a previous meeting. All items will be acted upon by one vote, without being discussed separately, unless requested by a Commission member. Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

4a) Second and final reading to approve and adopt an ordinance amending the City of Harlingen Code of Ordinances, Article XVI, Section 111-142 to reduce the composition of the Zoning Board of Adjustments from six (6) to (5) five regular members, and from six (6) to (5) five alternate members; Article XVI, Section 111-143, to clarify the authority of the Zoning Board of Adjustment; and Article, Section 111-444, to clarify the appeal of decisions by the Zoning Board of Adjustment. Applicant: City of Harlingen. Attachment (Planning & Zoning)
b) Second and final reading to approve and adopt an ordinance to rezone from Not Designated ("N") District to General Retail ("GR") District for 10.54 acres out of Block 54, David and Stephenson Subdivision, located at the southwest corner of Loop 499 and Briggs Coleman Road. Applicant: Christine Vargas. Attachment (Planning & Zoning)

c) Second and final reading to approve and adopt an ordinance amending the Planned Development ("PD") Site Plan from Commercial to Multi-Family Residential for Lot 1, Block 3, Adams Landing Subdivision. Applicant: Armando Elizarde. Attachment (Planning & Zoning)

d) Second and final reading to approve and adopt an ordinance to rezone from Planned Development ("PD") District to Light Industry ("LI") District for Lot 1, Block 1, Dollar Thrifty Subdivision, located at 3410 E. Grimes Avenue. Applicant: William Robert Sullivan. Attachment (Planning & Zoning)

e) Second and final reading to approve and adopt an ordinance to create an "All-Way Stop Sign" condition at the intersection of Dixieland Street and Garrett Road. Attachment (Public Works)

f) Consideration and possible action to approve Resolution R18-43 accepting the anticipated Federal Aviation Administration (FAA) – Airport Improvement Program (AIP) Grant Offer No. 3-48-0101-062-2018 in the amount of $7,700,000.00 for the reconstruction of Northwest and Southwest Aprons and Taxiway H Projects at Valley International Airport contingent upon the receipt of the FAA Grant, and rescinding Resolutions R18-29 and R18-30. Attachment (Airport).

g) Consideration and possible action to approve a refund of property taxes paid to Lereta on behalf of Tommy Jones, Acct. #17-4080-0010-0010-00 for $1,358.55 due to a veteran's change for Years 2016-2017. Attachment (Finance)

h) Consideration and possible action to a refund of property taxes paid by Loancare on behalf of The Secretary of Housing and Urban, Acct. #84-0764-0040-0304-00 for $880.79 due to an exemption for Years 2016-2017. Attachment (Finance)

5) Consideration and possible action to approve a resolution creating a Complete Count Committee for the 2020 Census. Attachment (Gabriel Gonzalez, Asst. City Manager)

6) Consideration and possible action to approve an Industrial District Agreement between the City of Harlingen and Penn Aluminum International, LLC. And authorize the Mayor to sign the agreement. Attachment (Gabriel Gonzalez, Asst. City Manager)

7) Consideration and possible action to approve a resolution amending the 401(C) Plan to add the Harlingen Waterworks System Employees hired on or after October 1, 2018 to the plan and add a member to the Plan Trustees. Attachment (Gabriel Gonzalez, Asst. City Manager)

8) Public Hearing to receive comments regarding the proposed voluntary annexation and to establish the initial zoning to Residential, Single Family ("R-1") District for 8.95 acres out of Block 35, Petersburg Syndicate Subdivision located on the east side of Park Lane East, north of Spur 54. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Daniel Dominguez. Attachment (Planning & Zoning)
9) Consideration and possible action to adopt a resolution directing staff to prepare a service plan and initiate proceeding for the voluntary annexation of a 1.0± acre tract of land being the North 50 feet of a 2.766 acre tract of land out of Block 54, David Stephenson Subdivision, located on the west side of Briggs Coleman Road north of Loop 499. Applicant: John W. Drennan, c/o Troy Investment Company No. 7, L.P. Attachment (Planning & Zoning)

10) Consideration and possible action to postpone the Harlingen Regular City Commission Meeting of October 17, 2018 to another date. (City Manager)

11) Board Appointments
Discussion and possible action regarding membership on any of the following listed board/entity:

   a) Airport Board (1)
   b) Animal Shelter Advisory Committee (1)
   c) Audit Committee (Terms expire annually in June) (4)
   d) Civil Service Commission
   e) Community Development Advisory Board (2)
   f) Construction Board of Adjustments (5)
   g) Convention & Visitors Bureau (3)
   h) Development Corporation of Harlingen, Inc.
   i) Downtown Improvement District Board
   j) Golf Course Advisory Board (0)
   k) Harlingen Community Improvement Board
   l) Harlingen Housing Authority Board
   m) Harlingen Finance Corporation
   n) Harlingen Proud Advisory Board (5)
   o) Library Advisory Board
   p) Mayor Wellness Council
   q) Museum Advisory Board (1)
   r) Parks Advisory Board
   s) Planning & Zoning Advisory Board (1)
   t) Senior Citizens Advisory Board (5)
   u) Tax Increment Finance Board (7)
   v) Utility Board of Trustees
   w) Veterans Advisory Board (5)
   x) Zoning Board of Adjustments (6)

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.

12) Executive/Closed Session on the following items:

   a) pursuant to Chapter 551, Sections 551.087, 551.071 and 551.072 of the Gov't Code regarding commercial and financial information from a business prospect with which the City is conducting economic development negotiations and/or to discuss or deliberate financial or other incentives with the business prospect known as Project Development and to seek legal advice from the City Attorney regarding the subject matter. (City Manager)
b) pursuant to Section 551.071, Texas Gov't. Code to consult with the City Attorney in connection with the MPO Merger.  (City Manager)

c) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Sections 551.087 and 551.071 regarding commercial and financial information from a business prospect with which the City is conducting economic development negotiations and to seek legal advice regarding an air service development incentive program.  (City Manager)

13) Consideration and possible action regarding Executive Session Item (c).  (City Manager)

14) Citizen Communication

I, the undersigned authority, do hereby certify that the above notice of meeting is a true and correct copy of said notice posted on the City's bulletin board, City Hall, 118 E. Tyler Avenue, a place convenient and readily accessible to the general public at all times and said notice was posted on Friday, September 28th, 2018 at 5:10 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 28th day of September, 2018

Amanda C. Elizondo, City Secretary
**AGENDA ITEM**
**EXECUTIVE SUMMARY**

**Meeting Date:** October 3, 2018

**Agenda Item:**

Presentation by Sergio Mujica, M.I.S. Director on the City's Mobile App Activity Report. Attachment. (M.I.S.)

**Prepared By (Print Name):** Sergio Mujica  
**Title:** M.I.S. Director

**Signature:** [Signature]

**Brief Summary:**
M.I.S has prepared an activity report for the City Mobile App that will show how citizens have been using the app and how the city departments have been responding to the requests.

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

Finance Director's approval: [ ] Yes [ ] No [ ] N/A

**Staff Recommendation:**

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

**Comments:**

City Attorney's approval: [ ] Yes [ ] No [ ] N/A
MIS Dept.
City Mobile App Activity Report

- City Mobile App was launched on February 21, 2018.
- Apple iTunes Store downloads 478
- Android Play Store downloads 291
August 2018 Service requests Map Locations.
Top 8 Online Categories Requested

- Environmental Services, 8
- Restaurant Complaints, 6
- Ask General Questions, 7
- Code Compliance Requests, 20
- Mosquito Complaints, 10
- Grass Complaints, 66
- Junk Cars, 38
- Property Code Violations, 142
City Departments Requests

- March: 159
- April: 293
- May: 336
- June: 349
- July: 474
- August: 287
- Sept: 220

Entered By Employees
Top 9 Categories Entered By Depts.

- Environmental Services, 44
- Restaurant Complaints, 41
- Public Works Requests, 27
- General Complaints, 25
- Code Compliance Requests, 98
- Mosquito Complaints, 53
- Grass Complaints, 445
- Property Code Violations, 918
- Junk Cars, 328
Days To First Response

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<th>Average Days</th>
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<tr>
<td>April</td>
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<td>May</td>
<td>0.407</td>
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<tr>
<td>June</td>
<td>0.314</td>
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<tr>
<td>July</td>
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<tr>
<td>August</td>
<td>0.578</td>
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Average Days to Resolve Request

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<th>Month</th>
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<td>March</td>
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<tr>
<td>April</td>
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<td>July</td>
<td>11.631</td>
</tr>
<tr>
<td>August</td>
<td>9.04</td>
</tr>
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</table>
Questions ?
JOINT SPECIAL MEETING OF THE HARLINGEN CITY COMMISSION
& THE HARLINGEN COMMUNITY IMPROVEMENT BOARD
August 23, 2018

A Joint Special Meeting of the Harlingen City Commission and Harlingen Community Improvement Board held August 23, 2018 at 5:30 p.m., City Hall, Town Hall Meeting Room, 118 E. Tyler Street, Harlingen, Texas. Those in attendance were:

Mayor and Commissioners
Mayor Chris Boswell
Michael Mezmar, Mayor Pro-Tem District 3
Richard Uribe, Commissioner District 1
Tudor Uhlhorn, Commissioner District 2
Ruben de la Rosa, Commissioner District 4
Victor Leal, Commissioner District 5

Harlingen Community Improvement Board
Jesse Robles, President
Paul J. Durant, Vice President
Gina L. Cano-Monreal, Secretary
John Guevara, Member
Deloria N. Davis, Member
Daniel Araiza, Member

City Staff
Dan Serna, City Manager
Amanda C. Elizondo, City Secretary
Allison Bastian, Asst. City Attorney

Absent
Daniel Villarreal, Member

Mayor Boswell and President Robles called the meeting to order and stated the agenda was duly posted according to state law.

1) Approval of Minutes of June 26, 2018 (Harlingen City Commission and Harlingen Community Improvement Board)

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to approve the minutes of June 26, 2018. Motion carried unanimously.

Motion was made by Mr. Durant and seconded by Mr. Araiza to approve the minutes of June 26, 2018. Motion carried unanimously.

2) (Harlingen Community Improvement Board) Consideration and possible action to approve the Financial Report.

Sergio Villasana, Assistant Finance Director, highlighted the Harlingen Community Improvement Board Balance Sheet for the Month Ending June 30, 2018.
ASSETS

Cash $6,366,466
AR/State Comptroller 128,659
TOTAL ASSETS $6,495,125

LIABILITIES AND FUND BALANCE

Liabilities $
Unrestricted Fund Balance 1,398,130
Committed Fund Balance 5,096,994
FY18 Unallocated Funds 770,988
Renovation Nine Story Building 40,000
Convention Center/Hotel 1,164,140
Convention Center Debt Service 440,658
Landscape 169/Tyler/Harrison 20,300
Lon C. Hill Destination Park 2,660,908

Total Fund Balance $6,495,124

Total Liabilities and Fund Balance 6,495,124

Motion was made by Mr. Guevara and seconded by Mr. Durant to approve the Financial Report. Motion carried unanimously.

3) (Harlingen Community Improvement Board) Consideration and possible action to approve the Harlingen Community Improvement Board Proposed Budget for Fiscal Year 2018-2019.


HARLINGEN COMMUNITY IMPROVEMENT BOARD (4B)
PROPOSED BUDGET

Estimated Year End Fund Balance FY $1,589,392
REVENUES 1,547,524
EXPENDITURES 1,547,524
ENDING BALANCE $1,589,392

Discussion was held in regards to the Sales Tax and Dan Serna, City Manager, stated the sales tax was beginning to drop and the 2.5% is based on the direct pay permit holders who generate a large amount of sales tax. The 2.5% was a conservative amount.

Motion was made by Mr. Guevara and seconded by Ms. Cano-Monreal to approve the Harlingen Community Improvement Board Proposed Budget for Fiscal Year 2018-2019. Motion carried unanimously.
4) **(Harlingen City Commission)** Consideration and possible action to approve the Harlingen Community Improvement Board Proposed Budget for Fiscal Year 2018-2019.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Leal to approve the Harlingen Community Improvement Board Proposed Budget for Fiscal Year 2018-2019. Motion carried unanimously.

5) **(Harlingen Community Improvement Board)** Consideration and possible action to approve the Proposed Destination Park Phase I.

Javier Mendez, Parks and Recreation Director, stated Phase One consists of the following improvements, these were preliminary estimates. The total amount includes general conditions, overhead/profits, contingency and A&E fees.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
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<tbody>
<tr>
<td>Entry Court</td>
<td>$279,025</td>
</tr>
<tr>
<td>L&amp;L ½ Street</td>
<td>$ 23,825</td>
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<tr>
<td>Center Plaza</td>
<td>$554,545</td>
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<tr>
<td>Walkways</td>
<td>$587,957</td>
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<tr>
<td>Parking Lots</td>
<td>$494,860</td>
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<tr>
<td>Other Components</td>
<td>$307,000</td>
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<tr>
<td>Construction Fees</td>
<td>$413,696</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$2,660,908</strong></td>
</tr>
</tbody>
</table>

**Phase One Improvements**
- New parking (290 spaces)
- Re-surface Existing Parking Lot
- Re-surface Existing Parking Lot
- Restroom Bldg
- New area lighting (32 fixtures)
- New small pavilion
- New entry monument/court
- New Butterfly Garden
- New Gazebo
- New Wet Area
- New Food Truck Parking

**Projected Timeline**
- Schematic Design: July 12th, 2018
- Design Development: September 25th, 2018
- Construction: November 9th, 2018
- Bid Solicitation: January 2019
- Start Construction: March 2019

Discussion was held regarding parking, noise concern, and budget target and Mr. Mendez stated parking is within the first phase, bidding has been submitted for the noise concern, possibly moving the skate park to a different park location. The project is on budget target.

Commissioner Uhlhorn stated it seemed important to mill up the area, so that water could percolate through it. There may be a chance that the soil will shift, unless the Engineer thinks that there are no problems with it.
Carlos Sanchez, Asst. City Manager, stated maybe they could do something with the asphalt using the zipper to allow the water to percolate.

Motion was made by Mr. Guevara and seconded by Mr. Durant to approve the Proposed Destination Park Phase I. Motion carried unanimously.

6) **(City Commission) - Consideration and possible action to approve the Proposed Destination Park Phase I.**

Motion was made by Mayor Pro-Tern Mezmar and seconded by Commissioner Leal to approve the Proposed Destination Park Phase I. Motion carried unanimously.

There being no other business to discuss, Mayor Boswell and President Robles adjourned the meeting.
A Regular Meeting of the Harlingen Elective Commission was held on September 5, 2018 at 5:30 p.m., City Hall, Town Hall Meeting Room, 2nd Floor, 118 E. Tyler Street, Harlingen, Texas. Those in attendance were:

**Mayor and Commissioners**
- Chris Boswell, Mayor
- Michael Mezmar, Mayor Pro-Tem, District 3
- Richard Uribe, City Commissioner, District 1
- Tudor Uhlhorn, City Commissioner, District 2
- Ruben de la Rosa, City Commissioner, District 4
- Victor Leal, City Commissioner, District 5

**Staff Present**
- Dan Serna, City Manager
- Amanda C. Elizondo, City Secretary
- Allison Bastian, Asst. City Attorney

Mayor Boswell called the meeting to order and announced the meeting was duly posted according to State Law. The following proceedings were held:

**Invocation/Mayor Pro-Tern Michael Mezmar**

**Pledge of Allegiance/Welcome**

1) **Special Recognition**

Mayor Boswell presented a Certification of Recognition to Steven Millon, Harlingen Firefighter for saving a young man's life by performing a life saving Heimlich procedure. He thanked and complimented him for his rapid response to this situation and for his professionalism as a firefighter.

2) **Presentation of Proclamations:**

Mayor Boswell read and presented the following proclamations to the following individuals.

a) **Declaring September 17th through 23rd, 2018 as "Constitution Week"**
   - Tomasita Lipe and Pat Keltner

b) **Declaring September 10th through 16th, 2018 as "Mexican Independence Week in Harlingen, Texas" and September 15th through October 15th, 2018 as "National Hispanic Heritage Month.**
   - Mrs. Connie Salas and Cassandra Cuellar

3) **Approval of Minutes**

a) **Special Meeting – July 30, 2018**

b) **Regular Meeting – August 1, 2018**
Motion was made by Commissioner Uhlhorn and seconded by Commissioner De La Rosa to approve the minutes for July 30, 2018, Special Meeting and August 1, 2018, Regular Meeting. Motion carried unanimously.

CONSENT AGENDA

Mayor Boswell removed Item 4(a) from the consent agenda for discussion. He entertained a motion for Items 4(b) through (h).

4b) Second and final reading to approve and adopt an ordinance for a Specific Use Permit “SUP” to allow two portable buildings greater than 144 sq. ft. in a Multi-Family Residential (“M2”) District located at 1701 Lozano Street, bearing a legal description of Lot 1, Block 1, HCISD Ninth Grade Academy Subdivision. Applicant: HCISD.

c) Consideration and possible action to approve a request from Cameron County Election Department to use the Cultural Art Center located on 576 "76" Drive, Harlingen, Texas as a voting site for the General Election, Tuesday, November 6, 2018 to conduct early voting from Monday, October 22nd thru Friday, October 26th from 9:00 a.m. to 6:00 p.m.; Saturday, Oct. 27th from 10:00 a.m. to 6:00 p.m. and Monday, October 29th thru November 2nd, 2018 from 9:00 a.m. to 6:00 p.m.

d) Consideration and possible action to approve a request from the Calvary Christian School to close East Williamson Avenue from the stop sign at the corner of Williamson (where it meets 7th Street), west to the end of the Calvary Christian School Parking Lot, Saturday, October 13, 2018 from 4:00 p.m. to 9:00 p.m. for the 36th Annual Fall Festival.

e) Consideration and possible action to approve a request from the Immaculate Heart of Mary Catholic Church to close South “C” Street between Polk Street and Tyler Avenue, Friday, October 5, 2018 at 12:00 p.m. to set-up for Saturday, October 6th and Sunday, October 7th, 2018 at 12:00 a.m. for the Annual “Fiesta de Amistad.”

f) Consideration and possible action to approve a request from Robert Saenz, Harlingen High School South Asst. Principal of Student Activities to close the following streets, Friday, September 28, 2018 from 6:15 p.m. to 6:45 p.m. for their Annual Homecoming Parade and Bonfire.

- Bothwell and Dixieland (blocking southbound traffic)
- Alani Circle (both streets)
- Haverford and Dixieland
- Midland and Haverford (Harlingen South side)
- Topaz and Dixieland
- Adrian (East and West) at Dixieland
- Garrett (East and West) at Dixieland


g) Consideration and possible action to approve a request from the 4th Annual 5K Walk/Run with the Heroes RGV 2018 Planning Committee to close the following streets for the 4th Annual 5K Walk/Run with the Heroes RGV 2018 Event, Saturday, September 22, 2018. Harlingen Downtown District from 6:00 a.m. to 12:00 noon.

- West Jackson Avenue between 6th Street
- South Commerce Street, up to alleyways
- North and South of Jackson Street
- North 1st Street / Arcadia Drive
- Arcadia Drive / East Grimes
Consideration and possible action to approve a request from the Downtown Improvement District to close Jackson Avenue from Commerce Street to 4th Street and crossroads "A", 1st, 2nd, and 3rd Streets from alleyway to alleyway crossing Jackson Avenue. Wednesday, October 31, 2018 from 12:00 p.m. to 9:00 p.m. for the 3rd Annual Halloween Event.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to approve the Consent Agenda Item 4 (b) through (h). Motion carried unanimously.

Second and final reading to approve and adopt an ordinance to amend the City of Harlingen Code of Ordinances, Article 1, Section 111-1 by establishing a definition for a community residential facility, halfway house/residential re-entry center, and sober living facility; Article III, Section 111-62 Use Chart, by establishing a category for a community residential facility, halfway house/residential re-entry center, and sober living facility; and Article IV, Section 111-140, Off-Street Parking, by establishing off parking requirements for a community residential facility, halfway house/residential re-entry center, and sober living facility. Applicant: Bradley Palermo, c/o Cornerstone Church, and the City of Harlingen.

Dan Serna stated Commissioner Uhlhorn had some concerns regarding the parking requirement for these types of facilities and allowed him the opportunity to discuss his concerns.

Commissioner Tudor stated that in the agenda packet the off street parking ordinance was not included for a community residential facility, halfway house/residential re-entry center, and sober living facility. He was concerned that the off street parking requirements would be a mechanism to prevent these types of facilities to locate in town.

Mr. Serna stated the parking ordinance that was presented to the Planning & Zoning Commission required establishments to provide one parking space for bedroom, plus a parking space for the highest number of employees. This requirement could potentially be very restrictive in a residential neighborhood with some of these facilities. Staff recommended to the Planning & Zoning Commission to amend the ordinance to include a parking space per bedroom, plus one, because there would be off street parking available to anyone. The Planning and Zoning approved the amendment. He recommended approval of the amendment to limit the parking to one (1) parking space per bedroom, plus one (1) in addition to the off street parking.

Mr. Davila stated these types of requests require an SUP Permit and would allow for questions and modifications if necessary at the time of the permit application.

Motion was made by Commissioner Leal and seconded by Commissioner Uhlhorn to approve Item 4(a) with the amendment of to parking; limiting one (1) parking space per bedroom plus one (1) parking, in addition to the off street parking. Motion carried unanimously.

Mayor Boswell changed the order of the agenda and proceeded with Item 18.

Consideration and possible action to approve a resolution revising the Base Rates charged by South Texas Emergency Care Foundation for ambulance services and the Schedule of Base Charges as set out in the existing contract for services.
Gabriel Gonzalez, Asst. City Manager, stated South Texas Emergency Care Foundation is proposing to increase the base rate by an additional $80. This increase will not impact Medicaid and Medicare patients. It will only affect private pay patients. The increase of the base rate within the City requires approval from the City Commission.

Mayor Boswell thanked the individuals that were present from South Texas Emergency Care Foundation for the great service that they provided to the Harlingen citizens.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Leal to approve the resolution revising the Base Rates charged by South Texas Emergency Care Foundation for ambulance services and the Schedule of Base Charges as set out in the existing contract for services. Motion carried unanimously.

Mayor Boswell returned to the regular order of the agenda and proceeded with Item No. 5.

5) Consideration and possible action to approve a resolution accepting Valley International Airport Adopted Budget for Fiscal Year 2018-2019.

Ron Mustard, Finance Director for the Valley International Airport, highlighted the Valley International Airport Proposed Budget for Fiscal Year 2018-2019.

<table>
<thead>
<tr>
<th>2019 Proposed Revenue</th>
<th>$6,492,300</th>
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<tbody>
<tr>
<td>Expenses</td>
<td>$6,313,500</td>
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<tr>
<td>Net Income</td>
<td>$178,800</td>
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<td>Capital Expenses</td>
<td>$151,000</td>
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<tr>
<td>Capital Improvements</td>
<td>$1,250,000</td>
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<tr>
<td>Cash Flow</td>
<td>$19,550,799</td>
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</tbody>
</table>

Motion was made by Commissioner Uhlhorn and seconded by Commissioner De La Rosa to approve the resolution accepting the Valley International Airport Budget for Fiscal Year 2018-2019. Motion carried unanimously.

6) Consideration and possible action to approve and accept the anticipated Federal Aviation Administration (FAA) – Airport Improvement Program (AIP) Grant 3-48-0101-061-2018 in the amount of $13,901,187.00 for the Reconstruction of Northwest and Southwest Aprons and Taxiway H Projects at Valley International Airport contingent upon the receipt of the FAA Grant.

Brian Wren, Asst. Director of Aviation, stated acceptance of the grant would provide for the reconstruction of the Northwest and Southwest Aprons and Taxiway H Projects. The amount of the grant was for $13,901,187.00 and would provide the total amount of funding to do the projects.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to accept the anticipated Federal Aviation Administration (FAA) – Airport Improvement Program (AIP) Grant 3-48-0101-061-2018 for $13,901,187 for the Reconstruction of Northwest and Southwest Aprons and Taxiway H Projects at Valley International Airport contingent upon the receipt of the FAA Grant. Motion carried unanimously.

7) Consideration and possible action to approve and accept the anticipated Federal Aviation Administration (FAA) – Airport Improvement Program (AIP) Grant 3-48-0101-062-2018, in the amount of $7,700,000.00 for the Reconstruction of Northwest and Southwest Aprons and Taxiway H Projects at Valley International Airport contingent upon the receipt of the FAA Grant.
Mr. Wren stated that the grant would cover any additional expenditure within the reconstruction of Northwest and Southwest Aprons and Taxiway H Projects at Valley International Airport.

Motion was made by Commissioner Leal and seconded by Commissioner Uhlhorn to accept the anticipated Federal Aviation Administration (FAA) – Airport Improvement Program (AIP) Grant 3-48-0101-062-2018 for $7,700,000.00 for the Reconstruction of Northwest and Southwest Aprons and Taxiway H Projects at Valley International Airport contingent upon the receipt of the FAA Grant. Motion carried unanimously.

8) Consideration and possible action to approve the highest bid(s) received on the following properties struck off to Cameron County, for itself and other taxing jurisdictions from a tax resale conducted on July 3, 2018.

a) Legal Description: Lot 10, Block 7, McFetridge Subdivision, a subdivision in the City of Harlingen, Cameron County, Texas as described in Volume 1128, Page 763, Deed Records of Cameron County, Texas, Acct. No. 20-4500-0070-0100-00.

b) Legal Description: 35 ft. by 50 ft., containing 0.0402 acre, more or less, out of Lot 7, Block 105, Original Townsite to the City of Harlingen, Cameron County, Texas, as described in release dated February 9, 1962, from Rio Grande Building and Loan Association to Juan Tovar ET UX, in Volume 399, Page 622, Deed of Trust Records of Cameron County, Texas, Acct. No. 15-0000-1050-0073-00.

c) Legal Description: A portion of Lot Seven (7), Newton Addition to the City of Harlingen, Cameron County, Texas, that portion being the north portion of said Lot, the same being a 45 by 50 ft. tract: Acct. No. 21-0570-0000-0071-00.

d) Legal Description: the south 1/2 of Lot 12, Block 123, Original Townsite of Harlingen, Cameron County, Texas, as described in Volume 720, Page 403, Deed Records of Cameron County, Texas: Acct. No. 15-0000-1230-0121-00.

John Guevara, Attorney with Linebarger, Goggan Blair & Sampson, LLP, stated Item 8(a) through (d) were placed for resale and the opening bid amount was the amount owed to the City at $.31 on the dollar. Judgment was applied to the four (4) properties and the City Commission was required to approve the bids.

Motion was made by Commissioner Uribe and seconded by Commissioner Uhlhorn to approve the bid(s) received for the above described properties. Motion carried unanimously.

9) Consideration and possible action to approve the resolutions accepting the highest bid(s) received on the tax resale conducted on July 3, 2018 for the above described properties.

Motion was made by Mayor Pro-Tern Mezmar and seconded by Commissioner De La Rosa to approve the resolutions accepting the highest bid(s) received on the tax resale conducted on July 3, 2018 for the above described properties. Motion carried unanimously.

10) Consideration and possible action to approve a proposal from Boy Scout, Mason Hohnadel, who will fund and construct improvements at Pendleton Park as part of his Eagle Scout Project to include constructing a resource board.

Mason Hohnadel, Eagle Scout, stated he would like to create a resource board that would have cumulative representation of all grief and emotional resources in Harlingen. The location of the project is between the Veteran’s Memorial and the playground at Pendleton Park. The existing
1 habitats or plant life would not be disrupted near or around the area of the board location. Some
2 resources featured on the board will be the Yellow Ribbon Program for suicide prevention, Children's
3 Bereavement Center of South Texas, and information on the Department of Veterans Affairs with the
4 Veterans Crisis Line Number.

5 Commissioner Uhlhorn inquired if the board will be double sided.

6 Mr. Hohnadel stated pamphlets would be placed on the back side of the board, but the primary
7 information would be on one side of the board.

8 Commissioner De La Rosa inquired if the board would have some lighting and if the materials
9 will be donated.

10 Mr. Hohnadel stated lighting is not on the plans, but if he could add the lighting, he would
definitely consider it. He proposed to seek donations from Lowe's and Home Depot to complete this
16 project. Expected time of completion would be within two (2) to three (3) months.

18 Mayor Boswell thanked Mr. Hohnadel for his leadership, planning, and funding attributes to a
19 successful completion that will be benefited by the City of Harlingen.

20 Motion was made by Commissioner De La Rosa and seconded by Mayor Pro-Tern Mezmar to
21 approve the proposal from Boy Scout, Mason Hohnadel, who will fund and construct improvements at
22 Pendleton Park as part of his Eagle Scout Project to include the construction of a resource board. Motion carried unanimously.

26 11) Consideration and possible action to approve an ordinance on first reading adopting the City of

29 Elvia Trevino, Finance Director, stated the 2018-2019 proposed revenue budget was
30 $74,006,816 and the proposed expenditures budget was $76,716,133. The Harlingen Downtown
31 District, Development Corporation, Harlingen Community Improvement, and Harlingen Community
32 Development Fund Budgets were approved separately by resolutions. Senate Bill 656 requires that
33 the governing body adopt the budget by record vote.

36 Allison Bastian, Asst. City Attorney, read the caption of the ordinance.

39 Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to
40 approve the ordinance on first reading adopting the City of Harlingen's Budget for Fiscal Year 2018-
41 2019.

43 Mayor Boswell entertained a record vote and it carried as follow: FOR: Mayor Pro-Tem
44 Mezmar, Commissioners: Uribe, Uhlhorn, De La Rosa, and Leal. AGAINST: None. (Vote: 5-0).

49 12) Consideration and possible action to approve an ordinance on first reading by record vote
50 adopting the 2018 Ad Valorem Tax Rate for Maintenance and Operation for Fiscal Year 2018-
51 2019.

54 Mrs. Trevino stated the adoption of the City's tax rate is done in two parts. The proposed tax
55 rate for the Maintenance and Operation was $0.460827 per $100 valuation. Together with the Interest
56 and Sinking Fund Tax Rate, the proposed tax rate for the City remains the same as the prior year at
57 $0.588827. Staff met all legal requirements for the adoption of the tax rate.

60 Ms. Bastian, Asst. City Attorney, read the caption of the ordinance.
Motion was made by Commissioner Leal and seconded by Commissioner Uhlhorn to approve the ordinance on first reading by record vote adopting the 2018 Ad Valorem Tax Rate for Maintenance and Operation for Fiscal Year 2018-2019.

Mayor Boswell entertained a record vote and it carried as follow: FOR: Mayor Pro-Tern Mezmar, Commissioners: Uribe, Uhlhorn, De La Rosa, and Leal. AGAINST: None. (Vote: 5-0).

13) Consideration and possible action to approve an ordinance on first reading by record vote adopting the 2018 Ad Valorem Tax Rate for the Interest and Sinking Fund for Fiscal Year 2018-2019.

Mrs. Trevino stated the second part was the Interest and Sinking Fund tax rate. The proposed tax rate for the Interest and Sinking Fund was $0.128000 per $100 valuation. The Interest and Sinking Fund pays for the City’s debt service for the fiscal year. The proposed tax rate for the City remains the same as the prior year, at $0.588827. Staff met all legal requirements for the adoption of the Interest and Sinking Fund Tax Rate.

Allison Bastian, Asst. City Attorney, read the caption of the ordinance.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to approve the ordinance on first reading by record vote adopting the 2018 Ad Valorem Tax Rate for the Interest and Sinking Fund for Fiscal Year 2018-2019.

Mayor Boswell entertained a record vote and it carried as follow: FOR: Mayor Pro-Tern Mezmar, Commissioners: Uribe, Uhlhorn, De La Rosa, and Leal. AGAINST: None. (Vote: 5-0).

14) Consideration and possible action to approve a resolution accepting the Downtown Improvement District Budget for Fiscal Year 2018-2019.

Mrs. Trevino stated the projected revenues for the Downtown Improvement District are $243,825, and expenditures are $246,191 for Fiscal Year 2018-2019. The proposed budget was presented to the Harlingen Improvement District Board. Staff recommends approval of the proposed budget.

Motion was made by Commissioner Uhlhorn and seconded by Mayor Pro-Tern Mezmar to approve the resolution accepting the Downtown Improvement District Budget for Fiscal Year 2018-2019. Motion carried unanimously.

15) Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen, to accept grant funds in the amount of ($65,000.00) made available through the Office of the Governor Homeland Security Grants Division under the Local Border Security (Border Star) Program.

Miryam Anderson, HPD Chief Deputy, stated the Local Border Security (Border Star) Program funding of $65,000 would be utilized for overtime costs and operating expenses to provide additional manpower to respond to increase presence and threat of organized crime, terrorism and violent crimes within the borders.

Motion was made by Commissioner Uribe and seconded by Mayor Pro-Tern Mezmar to authorize the Mayor, on behalf of the City of Harlingen, to accept grant funds in the amount of $65,000.00 made available through the Office of the Governor Homeland Security Grants Division under the Local Border Security (Border Star) Program. Motion carried unanimously.
Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen, to accept grant funds in the amount of ($35,000.00) made available through the Office of the Governor Homeland Security Grants Division under the Operation Stone Garden Program.

Deputy Chief Anderson stated the funds from Operation Stone Garden Program would be used to pay for overtime costs and operating expenses to provide additional manpower in a state-led and unified strategy to respond to increase presence and threat of organized crime, terrorism and violent crimes within our borders.

Motion was made by Commissioner Uribe and seconded by Commissioner Uhlhorn to accept the $35,000.00 Grant through the Office of the Governor Homeland Security Grants Division under Operation Stone Garden Program. Motion carried unanimously.

Presentation and discussion regarding the adoption of an ordinance relating to the City of Harlingen Code of Ordinances Sec. 46.3 regulating the use of hand-held wireless communication device while driving a motor vehicle (Ord. No. 11-51) by repealing and replacing said section amending the Harlingen Code of Ordinances provisions relating to hand-held wireless communication devices by repealing and replacing current Section 46-3; providing for publication and ordaining other matters related to the foregoing.

Deputy Chief Anderson stated an issue of cell usage has led to a proposal that consist of 13 signs in the entrances to the City of Harlingen. The signs will inform individuals of the prohibited cell phone usage within the City and the punishable fine not to exceed $200 per violation. The purpose of the proposed ordinance is to prohibit the use of a hand held mobile communication device during the operation of a motor vehicle. Some of the activities prohibiting the use of the cell phone are: 1) engage in a phone call; 2) send, read, and/or write text messages; and 3) engage in any other use of device unless done hands free. The Police Department finds that it is important and in the best interest of the public to enact measures affecting the health, welfare, and safety of its citizens in relation to this issue. Efforts to decrease the possibility of distracted drivers are vital. The permissible use of hand held communication devices are as follows:

a. Reporting illegal activity to a law enforcement agency;
b. Communicating with an emergency response operator, a fire department, a law enforcement agency, a hospital, a physician’s office, or a health clinic regarding a medical or other emergency situation;
c. Reporting or preventing injury to persons or property, including animals;
d. While the vehicle is parked or being driven on private property;
e. Affixed to the vehicle and used as a global positioning or navigation system;
f. Authorized emergency personnel in their official capacity; or
g. The operator is licensed by the Federal Communications Commission while operating a radio frequency device.

A ninety (90) day educational period will be implemented and only warning citations will be issued to inform the public about the importance and requirements of this ordinance.

Discussion was held regarding distribution of information and notification to public of the proposed ordinance; clarification on specifics of violations based on the language of the proposed ordinance; and if there has been an increase of issues that triggered the need for this ordinance.

Deputy Chief Anderson stated the information could be distributed to the HCISD and other areas to cover awareness of the ordinance, as well as doing presentations to the high schools for further awareness. State law prohibits writing, reading or sending a text message and allows individuals to make a phone call or set music at this time. With this ordinance, the driver is able to
make selections before the vehicle is in motion. Once the driver is in motion, the individual cannot hold the phone in his/her hand. Hands free use of the device will not violate the ordinance.

Randy Whittington, with South Texas Emergency Care Foundation, suggested that EMS providers be exempted from this ordinance due to operating emergency vehicles.

Chris Gonzalez, Chamber of Commerce CEO, stated the determination of who is using their cell phone for a valid business will become an issue and burden on the citizens. He suggested that further review be done before the adoption of the ordinance.

Commissioner Uhlhorn stated it would be a judgment call to determine that the cell phone is a distraction and the Police Department would have to distinguish it.

Mayor Boswell stated there are a lot of questions and information that is needed before the ordinance is considered. He would like to see examples of other ordinances before moving forward.

19) Consideration and possible action to approve a resolution to appoint a member to the Appraisal District Board, term expires December 31, 2018.

Mr. Serna stated David Argabright is the current member for the Cameron County Appraisal District Board of Directors and is willing to continue serving.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Uribe to approve the resolution appointing David Argabright to serve as the member to the Appraisal District Board of Directors. Motion carried unanimously.

Mayor Boswell thanked Mr. Argabright for his commitment and service on the board.

20) Consideration and possible action to approve a lease purchase agreement with Yahama for 65 golf carts to be used at the Tony Butler Golf Course and authorize the City Manager to sign the agreement.

This item was postponed.

21) Consideration and possible action to approve a resolution establishing an Air Service Development Program and authorizing the City Manager to execute agreements meeting eligibility criteria.

Mr. Serna stated the Air Service Development Program terms have been determined with the assistance from the Airport legal team. The City would guarantee aggregate minimum revenue per flight for new entrant non-stop service to Chicago, Las Vegas, San Antonio, Denver, and Dallas Fort Worth. The City would set aside a shared fund of $1,000,000 having the right to increase the amount at sole discretion. The funding source is strictly General Fund used strictly for this service, carriers will submit an application for minimum revenue guarantee no later than December 31, 2018 identifying: 1) target qualifying destination(s) to be served; 2) schedule of flights; and 3) aircraft used. Applications must be received within 30 days of announcement of service to a qualifying destination by a new entrant carrier and it would only be for new entrant carriers.

Motion was made by commissioner Uribe and seconded by Commissioner De La Rosa to approve the resolution establishing an Air Service Development Program and authorizing the City Manager to execute agreements meeting eligibility criteria. Motion carried unanimously.

22) Board Appointments
Commissioner De La Rosa
Reappointed Homero Ramos to the Golf Course Advisory Board
Reappointed Michelle Lopez to the Convention & Visitors Bureau

23) Executive/Closed Session pursuant to Section 551.071, Texas Gov't. Code to consult with the City Attorney in connection with the MPO Merger.

At 6:57 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item 23.

Motion was made by Commissioner De La Rosa and seconded by Commissioner Uhlhorn to convene into executive session to discuss Item No. 23. Motion carried unanimously.

At 7:22 p.m., Mayor Boswell announced the City Commission had completed its executive session and declared the meeting open to the public.

24) Citizen Communication
None

There being no further business to discuss, Mayor Boswell adjourned the meeting.

City of Harlingen

ATTEST:

Chris Boswell, Mayor

Amanda C. Elizondo, City Secretary
ORDINANCE NO. 18-____

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCE ARTICLE XVI, SECTION 111-142, BY REDUCING THE COMPOSITION OF THE ZONING BOARD OF ADJUSTMENT FROM SIX TO FIVE REGULAR MEMBERS, AND FROM SIX TO FIVE ALTERNATE MEMBERS, AND ARTICLE XVI, SECTION 111-143, TO CLARIFY THE AUTHORITY OF THE BOARD, TO; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

BE IT ORDAINED BY THE CITY OF HARLINGEN

SECTION I: That the City of Harlingen Code of Ordinances, Article XVI Section 111-142, and Article XVI. Section 111-143 is hereby amended by adding the language underlined (added), and deleting the language that is stricken through (deleted) as shown in Exhibit “A”, attached hereto and incorporated herein by reference.

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

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

FINALLY ENACTED this ______ day of ______________, 2018, 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

Chris Boswell, Mayor
ATTEST:

Amanda C. Elizondo, City Secretary
ORDINANCE NO. 18

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM NOT DESIGNATED ("N") DISTRICT TO GENERAL RETAIL ("GR") DISTRICT FOR 10.54 ACRES OUT OF BLOCK 54, DAVID AND STEPHENSON SUBDIVISION, LOCATED AT THE SOUTHWEST CORNER OF LOOP 499 AND BRIGGS COLEMAN ROAD; 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:

Public hearing and take action to consider an Ordinance on First Reading to rezone from Not Designated ("N") District to General Retail ("GR") District for 10.54 acres out of Block 54, David and Stephenson Subdivision, located at the southwest corner of Loop 499 west of Briggs Coleman Road.
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 ____________, 2018 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

__________________________
Chris Boswell, Mayor

ATTEST:

__________________________
Amanda C. Elizondo, City Secretary
Request to rezone from Not Designated ("N") District to General Retail ("GR") District for 10.54 acres out of Block 54, David and Stephenson Subdivision, located at the southwest corner of Loop 499 west of Briggs Coleman Road. Applicant: Christine Vargas.
ORDINANCE NO. 18

AN ORDINANCE AMENDING THE CODE OF
ORDINANCES OF THE CITY OF HARLINGEN:
AMENDING THE PLANNED DEVELOPMENT (“PD”) SITE
PLAN FROM COMMERCIAL TO MULTI-FAMILY
RESIDENTIAL FOR LOT 1, BLOCK 3, ADAMS LANDING
SUBDIVISION, LOCATED AT 1402 E. 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) and Ordinance 06-54
establishing the original planned development site plan, be and the same is herewith amended by the
following described property being changed for permissive zone use as indicated:

Amending the Planned Development (“PD”) site plan from
commercial to multi-family residential for Lot 1, Block 3, Adams
Landing Subdivision, located at 1402 E. Loop 499.
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 ____________, 2018 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

______________________________
Chris Boswell, Mayor

ATTEST:

______________________________
Amanda C. Elizondo, City Secretary
Request to amend the Planned Development ("PD") site plan from Commercial to Multi-Family Residential for Lot 1, Block 3, Adams Landing Subdivision, located at 1402 E. Loop 499. Applicant: Armando Elizade.
ORDINANCE NO. 18

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN:
REZONING FROM PLANNED DEVELOPMENT ("PD") DISTRICT TO LIGHT INDUSTRY ("LI") DISTRICT FOR LOT 1, BLOCK 1, DOLLAR THRIFTY SUBDIVISION, LOCATED AT 3410 E. GRIMES AVENUE; 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 Planned Development ("PD") District to Light Industry ("LI") District for Lot 1, Block 1, Dollar Thrifty Subdivision, located at 3410 E. Grimes Avenue.
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 ____________, 2018 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

________________________
Chris Boswell, Mayor

ATTEST:

________________________
Amanda C. Elizondo, City Secretary
Request to rezone from Planned Development ("PD") District to Light Industry ("LI") District for Lot 1, Block 1, Dollar Thrifty Subdivision, located at 3410 E. Grimes Avenue. Applicant: William Robert Sullivan.

Zoning Designations
- General Retail (GR)
- Heavy Industry (HI)
- Light Industry (LI)
- 3/4 Plex Residential (M1)
- Multifamily Residential (M2)
- Mobile Home Residential (MHR)
- Neighborhood Services (NS)
- Office (O)
- Not-Designated (N)
- Planned Development (PD)
- Single Family Residential (R1)
- Duplex Residential (R2)
- Residential Parcels 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 plates, 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 082318.
ORDINANCE NO. 18-_____ 

AN ORDINANCE AUTHORIZING THE PLACEMENT OF TWO STOP SIGNS ON GARRETT ROAD IN EACH DIRECTION OF TRAFFIC AT ITS INTERSECTION WITH DIXIELAND STREET CREATING AN "ALL-WAY STOP" CONDITION; ESTABLISHING A FINE NOT TO EXCEED $200.00 DOLLARS FOR THE DRIVER OF ANY MOTOR VEHICLE WHO FAILS TO STOP AND YIELD THE RIGHT-OF-WAY IN OBEEDIENCE TO THE STOP SIGNS HEREIN AUTHORIZED; AMENDING OR REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

BE IT ORDAINED BY THE CITY OF HARLINGEN:

SECTION I: That two Stop signs be placed on Garrett Road in each direction of traffic at the intersection of Dixieland Street creating an "All-Way Stop" condition.

SECTION II: The Chief of Police of the City of Harlingen, Texas is hereby authorized and directed to place the traffic control devices authorized by this ordinance.

SECTION III: It shall be unlawful for the driver of a motor vehicle to fail to stop and yield the right of way in obedience to the stop signs authorized by this ordinance.

SECTION IV: An offense under this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed $200.00.

SECTION V: That the City Secretary is hereby given authorization and directed to cause a true and correct copy of the caption of this Ordinance to be published in a newspaper having general circulation in the City of Harlingen, Cameron County Texas.

FINALLY ENACTED THIS ______ day of ______, 2018 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

______________________________
Chris Boswell, Mayor

ATTEST:

______________________________
Amanda C. Elizondo, City Secretary
Note:
5. 2018-2019 General Fund Roadway Improvement Project
20. Way Finding Signs for Convention Center
21. Downtown Parking Lot Analysis
26. Street Signs
29. RFQ 2018-10 Engineering Services
30. DR 4332 HMGP Applications
Note:
Speed Limit at all approaches is 30 mph.
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date:  Wednesday, October 3, 2018

<table>
<thead>
<tr>
<th>Agenda Item:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consideration and possible action to approve a resolution repealing Resolution No. R18-30 relating to the acceptance of the anticipated Grant Offer No. 3-48-0101-062-2018 totaling $7,700,000.00 for the Reconstruction of Northwest and Southwest Aprons and Taxiway H Projects at the Valley International Airport.</td>
</tr>
</tbody>
</table>

| Prepared By (Print Name): | Marv R. Esterly |
|----------------------------|
| Title: | Director of Aviation |
| Signature: | [Signature] |

<table>
<thead>
<tr>
<th>Brief Summary:</th>
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</thead>
<tbody>
<tr>
<td>The FAA had originally asked the Airport to split the project into two grants because they were not sure how it would be funded. They were able to fund the entire project under Grant 61.</td>
</tr>
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<table>
<thead>
<tr>
<th>Funding (if applicable):</th>
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</thead>
<tbody>
<tr>
<td>Are funds specifically designated in the current budget for the full amount for this purpose?</td>
</tr>
<tr>
<td>*If no, specify source of funding and amount requested:</td>
</tr>
<tr>
<td>Finance Director's approval:</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>Staff Recommendation:</th>
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<tbody>
<tr>
<td>The staff recommends acceptance to repeal Resolution R18-30; FAA/AIP Grant 62.</td>
</tr>
</tbody>
</table>

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

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<thead>
<tr>
<th>Comments:</th>
</tr>
</thead>
</table>

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

*form revised 01/26/09*
RESOLUTION NO. NO. _____

STATE OF TEXAS  
COUNTY OF CAMERON

WHEREAS, Resolution No. R18-30 for Valley International Airport’s Federal Aviation administration (FAA) Grant No. 3-48-0101-062-2018 was approved by the Harlingen City Commission during its regular meeting of September 5, 2018; and

WHEREAS, the intended purpose of the anticipated Grant No. 3-48-0101-062-2018 was for the Reconstruction of Northwest and Southwest Aprons and Taxiway H Projects at Valley International Airport; and

WHEREAS, the FAA had originally instructed the Airport to split the project into two grants (3-48-0101-061-2018 and 3-48-0101-062-2018) because they were not sure how it would be funded; and

WHEREAS, the FAA was able to fund the entire project under Grant 3-48-0101-061-2018; now therefore,

BE IT RESOLVED THAT, Valley International Airport Board requests that this resolution repeal Resolution R18-30.

CONSIDERED AND ADOPTED this 3rd day of October 2018, 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

__________________________
Chris H. Boswell, Mayor

ATTEST:

__________________________
Amanda Elizondo, City Secretary
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: 10/03/2018

<table>
<thead>
<tr>
<th>Agenda Item:</th>
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<tbody>
<tr>
<td>Consideration and possible action to approve a refund of property taxes paid by Lereta on behalf of Tommy Jones on account # 17-4080-0010-0010-00.</td>
</tr>
</tbody>
</table>

| Prepared By (Print Name): | Elvia Treviño |
| Title: | Finance Director |
| Signature: |

<table>
<thead>
<tr>
<th>Brief Summary:</th>
</tr>
</thead>
</table>
| This refund request in the amount of $1,358.55 for account # 17-4080-0010-0010-00 is due to a veteran’s change for years “2016-2017”.

Total amount of refund requested is $1,358.55. Refunds over $500.00 require Commission approval. |

<table>
<thead>
<tr>
<th>Funding (if applicable):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are funds specifically designated in the current budget for the full amount for this purpose?</td>
</tr>
<tr>
<td>Yes</td>
</tr>
</tbody>
</table>
*If no, specify source of funding and amount requested: |

Finance Director’s approval: X Yes No N/A |

<table>
<thead>
<tr>
<th>Staff Recommendation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff recommends approval of refund.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City Manager’s approval:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes No N/A</td>
</tr>
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</table>

| Comments: |

<table>
<thead>
<tr>
<th>City Attorney’s approval:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes No N/A</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Elvia Trevino
   City of Harlingen
   Harlingen, Texas 78550

FROM: Aurora Lozano
       TAX OFFICE
       Harlingen, Texas 78550

DATE: September 20, 2018

RE: Account #17-4080-0010-0010-00, Jones Tommy P(Lereta)

Attached please find a refund of over $500 which will require Commissioner’s approval. Please let this memo serve as a request for this refund to be considered for approval of disbursement on the next Commissioner’s meeting.

The enclosed refund request is due to an adjustment. The adjustment is due to a veteran's change for years "2016-2017".

Therefore the amount of $1,358.55 needs to be refunded to:

       Lereta
       1123 South Parkview Drive
       Covina, CA 91724

Should you have any questions regarding this matter, please contact me at (956)428-7999
Change Desc:

08/03/2018-MR-ENTERED DVHS-90% BEING PAID AT 100% BECAUSE HAS UNEMPLOYABLE DUE TO SERVICE CONNECTED TOTALLY AND PERMANENTLY DISABLED EFFECTIVE DATE AS OF 01/01/2014. FOR 2016 2017 2018 FOR TOMMY P JONES WHO APPLIED ON JUNE 04, 2018. HAS LIVED IN THE HOME SINCE 05/2012. NO OTHER PROPERTY OWNED.

Gain or Loss of Value for:

<table>
<thead>
<tr>
<th>Entity</th>
<th>Current Assessed</th>
<th>Current Taxable</th>
<th>Current Tax</th>
<th>Previous Assessed</th>
<th>Previous Taxable</th>
<th>Previous Tax</th>
<th>Gain / Loss Assessed</th>
<th>Gain / Loss Taxable</th>
<th>Gain / Loss Tax</th>
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<td>136,619</td>
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<tr>
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## Current Property Data as of Supp 37

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<td>70047</td>
<td>JONES TOMMY P &amp; JONES RITA K</td>
<td>100.00</td>
<td>LOT 1 &amp; 2 EAST ACRE SUBDIVISION N 0.5510 ACRE</td>
<td></td>
<td></td>
<td></td>
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### Change Desc:
08/03/2018-MR—ENTERED DVHS-90% BEING PAID AT 100% BECAUSE HAS UNEMPLOYABLE DUE TO SERVICE CONNECTED TOTALLY AND PERMANENTLY DISABLED EFFECTIVE DATE AS OF 01/01/2014. FOR 2016 2017 2018 FOR TOMMY P JONES WHO APPLIED ON JUNE 04, 2018. HAS LIVED IN THE HOME SINCE 05/2012. NO OTHER PROPERTY OWNED.

### Previous Property Data as of Supp: 4

<table>
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<th>Prop ID</th>
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<th>Legal Description</th>
<th>Values</th>
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<tr>
<td>70047</td>
<td>JONES TOMMY P &amp; JONES RITA K</td>
<td>100.00</td>
<td>LOT 1 &amp; 2 EAST ACRE SUBDIVISION N 0.5510 ACRE</td>
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### Change Desc:
Ran Frz/ReFrz after supp group 250.

### Gain or Loss of Value for:

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**AGENDA ITEM**

**EXECUTIVE SUMMARY**

Meeting Date: 10/03/2018

<table>
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<tr>
<th>Agenda Item:</th>
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<tbody>
<tr>
<td>Consideration and possible action to approve a refund of property taxes paid by Loancare on behalf of The Secretary of Housing and Urban on account # 84-0764-0040-0304-00.</td>
</tr>
</tbody>
</table>

| Prepared By (Print Name): |
| Elvia Treviño |

| Title: |
| Finance Director |

| Signature: |
| [Signature] |

| Brief Summary: |
| This refund request in the amount of $880.79 for account # 84-0764-0040-0304-00 is due to an absolute exemption for years “2016-2017”.

Total amount of refund requested is $880.79. Refunds over $500.00 require Commission 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: |

| Finance Director’s approval: |
| ☑ Yes ☐ No ☐ N/A |

| Staff Recommendation: |
| Staff recommends approval of refund. |

| City Manager’s approval: |
| ☐ Yes ☐ No ☐ N/A |

| Comments: |
| [Signature] |

| City Attorney’s approval: |
| ☐ Yes ☐ No ☐ N/A |
MEMORANDUM

TO: Elvia Trevino  
   City of Harlingen  
   Harlingen, Texas 78550

FROM: Aurora Lozano  
       TAX OFFICE  
       Harlingen, Texas 78550

DATE: September 20, 2018

RE: Account #84-0764-0040-0304-00, The Secretary of Housing and Urban(Loancare)

Attached please find a refund of over $500 which will require Commissioner's approval. Please let this memo serve as a request for this refund to be considered for approval of disbursement on the next Commissioner's meeting.

The enclosed refund request is due to an adjustment. The adjustment is due to an absolute exemption for years “2016-2017”.

Therefore the amount of $880.79 needs to be refunded to:

   Loancare  
   P.O. Box 8068  
   Virginia Beach, VA 23450

Should you have any questions regarding this matter, please contact me at (956)428-7999
Current Property Data as of Supp 37

Prop ID | Owner | % | Legal Description | Values
---|---|---|---|---
352977 | 625357 | 100.00 | R | Geo: 84-0784-0040-0304-00 Effective Acres: 0.0000 | Imp HS: 0 | Market: 100,169
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; NETWORKS CORP SHEPHERD MALL OFFICE | Lot 304 Blk 4 Hickory Hill Subdivision Phase 3 | Imp Nhs: 84,169 | Prod Loss: 0
2401 NW 23rd St Ste 1D | (C1-2829 A CCMR FILED 6/8/07) | Land HS: 0 | Appraised: 100,169
Oklahoma City, OK 73107-2421 | Appraiser: DAVID LU | Prod Use: 0 | Cap: 0
State Codes: A | Operator: Rodriguez | Assessed: 100,169
Situs: 9742 HAWK DR TX | Map ID: 03-03-00 | Late Ag: F
| Mtg Cd: Ref ID1: | Ref ID2: | 03-03-00 |

Previous Property Data as of Supp: 0

Prop ID | Owner | % | Legal Description | Values
---|---|---|---|---
352977 | 625357 | 100.00 | R | Geo: 84-0784-0040-0304-00 Effective Acres: 0.0000 | Imp HS: 0 | Market: 100,169
AMERICAN FINANCIAL RESOURCES INC | Lot 304 Blk 4 Hickory Hill Subdivision Phase 3 | Imp Nhs: 84,169 | Prod Loss: 0
9 Sylvan Way | (C1-2829 A CCMR FILED 6/8/07) | Land HS: 0 | Appraised: 100,169
 Parsippany, NJ 07054-3816 | Appraiser: DAVID LU | Prod Use: 0 | Cap: 0
State Codes: A | Operator: Rodriguez | Assessed: 100,169
Situs: 9742 HAWK DR TX | Map ID: 03-03-00 | Late Ag: F
| Mtg Cd: Ref ID1: | Ref ID2: | 03-03-00 |

Gain or Loss of Value for:

Property: 352977 | Geo: 84-0784-0040-0304-00

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<td>0</td>
<td>-100,169</td>
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<th>Legal Description</th>
<th>Supp Code: AEX</th>
<th>Values</th>
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<td><strong>Geo:</strong> 84-0764-0040-0304-00 <strong>Effective Acres:</strong> 0.0000</td>
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<td></td>
<td>100.00 R</td>
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**Change Desc:**

2016 Supplement Roll 46

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<th>Ent Pct Statement</th>
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<th>Freeze</th>
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<tbody>
<tr>
<td>THE SECRETARY OF HOUSING A</td>
<td>525357</td>
<td>CHG</td>
<td></td>
<td>101,038</td>
<td>51,623</td>
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<tr>
<td><strong>EX</strong></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td><strong>IN-07/06/2016</strong></td>
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### Previous Property Data as of Supp: 0

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<th>Supp Code: AEX</th>
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<tbody>
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<td>629580</td>
<td><strong>Lot 304 Blk 4 Hickory Hill Subdivision Phase 3</strong></td>
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</tr>
<tr>
<td></td>
<td>100.00 R</td>
<td><strong>Appraiser:</strong> DAVID LU <strong>Operator:</strong> Jacosta <strong>State Codes:</strong> A <strong>Address:</strong> 9742 HAWK DR TX</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Map ID:</strong> 03-03-00 <strong>Prod Use:</strong> 0 <strong>Assessed:</strong> 101,038 <strong>Cap:</strong> 0 <strong>Late Ag:</strong> F</td>
<td></td>
<td></td>
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</table>

**Change Desc:**

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<tr>
<th>Owner</th>
<th>Pct Exemptions</th>
<th>Entity</th>
<th>Ent Pct Statement</th>
<th>Assessed</th>
<th>Taxable</th>
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<tr>
<td><strong>IN-07/06/2016</strong></td>
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### Gain or Loss of Value for:

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<tr>
<th>Property: 352977 Geo: 84-0764-0040-0304-00</th>
<th>Current</th>
<th>Previous</th>
<th>Gain / Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Entity</strong></td>
<td>Assessed</td>
<td>Taxable</td>
<td>Assessed</td>
</tr>
<tr>
<td>CHG</td>
<td>101,038</td>
<td>51,623</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Gain / Loss of Value**:

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<tr>
<th><strong>CHG</strong></th>
<th><strong>Assessed</strong></th>
<th><strong>Taxable</strong></th>
<th><strong>Gain / Loss</strong></th>
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</thead>
<tbody>
<tr>
<td>101,038</td>
<td>51,623</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Gain / Loss of Value**: 0.00
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: October 3, 2018

Agenda Item:
Consider and possible action to approve a Resolution creating a Complete Count Committee for the 2020 Census.

Prepared By (Print Name): Gabriel Gonzalez
Title: Assistant City Manager
Signature: [Signature]

Brief Summary:
The next census is due to occur on April 1, 2020. In order to better prepare for the census, cities establish Complete Count Committees comprised of local civic leaders that can assist in spreading the importance of the census to the citizens of the community they represent. This Resolution establishes the Complete Count Committee (CCC). The CCC will have a 10 member committee but may be expanded up to 15 at the Mayor's discretion. Every member of the Commission will be eligible to appoint one member to the CCC with the remaining five members being appointed by the Mayor. It would be beneficial to the CCC if those members were from a particular sector within the community identified in the Resolution. Members do not have to be appointed tonight, this can occur at the next commission meeting. The CCC will serve as an ad hoc committee.

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:
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]
WHEREAS: April 1, 2020 is Census Day for the United States of America pursuant to Article 1, Section 2 of the United States Constitution; and

WHEREAS: An accurate census is essential for the allocation of representatives with the legislative bodies of the U.S. House of Representatives, the Texas Legislature and within the City of Harlingen's districts; and

WHEREAS: Correct apportionment of Federal dollars for transportation, education, health, child and elder care, emergency preparation and response, public and social support programs, depends on complete and accurate demographic information.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HARLINGEN:

That the Governing Body of the City of Harlingen does hereby create the Census 2020 Complete Count Committee for the purposes of planning and conducting local initiatives and promotional activities to increase community participation in the 2020 Census.

SECTION 1. The City of Harlingen hereby creates a Census 2020 Complete Count Committee which shall consist of ten members. Each City Commissioner will appoint one member with the remaining five members to be appointed by the Mayor. The Mayor, may at his discretion, increase the Complete Count Committee to fifteen members with the additional five members to be appointed by the Mayor.

SECTION 2. The membership of the Complete Count Committee should be from the following areas:

- Business
- Faith-based community
- Education
- Media
- Technology
- Community Organizations
- Technology

SECTION 3. The Mayor shall appoint the Complete Count Committee Chairperson and the committee members shall serve until June 2020.

SECTION 4. The Complete Count Committee shall be a working committee charged with the duty to assist the City of Harlingen in planning and conducting local educational initiatives, as well as publicity and promotional activities to increase community participation in the Census. Activities may include, but are not limited to the following:
• Assist with the creation and distribution of posters, flyers, handouts and printed material for use by the media and other organizations to promote participation in the Census.

• Assist in the preparation of materials for public service announcements on radio, newspaper and television.

• Speak at public forums and meetings, fraternal organizations business organizations and schools for the purpose of promoting and informing the community of the upcoming Census.

SECTION 5. The City of Harlingen shall provide staff support to the Complete Count Committee.

CONSIDERED AND ADOPTED THIS 3rd day of October, 2018 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.

CITY OF HARLINGEN

Chris H. Boswell, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **October 3, 2018**

**Agenda Item:**
Consideration and possible action to approve an Industrial District Agreement between the City and Penn Aluminum International, LLC.

**Prepared By (Print Name):** Gabriel Gonzalez  
**Title:** Assistant City Manager  
**Signature:**

**Brief Summary:**
Penn Aluminum International, LLC. is the fourth company to sign their Industrial Development Agreement. As part of the Agreement, the following conditions will apply.

1) The City will not annex the property for the 7 year term of the Agreement.
2) During this term, the City will provide police and fire protection, will charge the water and sewer rates as if they were located within the city limits and provide other services available to industries within the city.
3) The company will pay 100% of the fair market value of the property as certified by the Cameron County Appraisal District as of July 20th of the prior year.
4) After the 7 year term, the City may annex the property under the voluntary annexation procedures.

Staff recommends approval of the Agreement.

**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:**
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
April 3, 2018

Mr. Rick Phillips, Plan Manager
Penn Aluminum International L.L.C
5602 E. Harrison Ave.
Harlingen, Texas 78550

Dear Mr. Phillips:

Thank you for taking the time to meet. As discussed in our meeting, Penn Aluminum International, LLC and the City of Harlingen had previously been engaged in a non-annexation agreement also known as an Industrial District Agreement (IDA) in which the City would agree to not annex the property in which your business is located, in exchange for a payment in lieu of taxes (PILOT).

That agreement has since expired and the City is offering to enter into an extended non-annexation agreement for an additional 7 years. This agreement is mutually advantageous to both parties in that land and improvements owned by Penn Aluminum International, LLC retain its extraterritorial status as an industrial district and shall not be annexed by the City during the 7-year term. Additionally, the City shall provide police and fire protection along with other services furnished to the surrounding industries. In exchange, Penn Aluminum International LLC will provide a PILOT payment to be determined by the fair market value established by the Certified Cameron County Appraisal District tax rolls as of July 20th of the year prior to each payment year.

Should you have any questions or wish to discuss further, please feel free to contact me at (956) 216-5002.

Sincerely,

Gabriel Gonzalez
Assistant City Manager
Harlingen, Texas
<table>
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<tr>
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<th>APP VALUE</th>
<th>RATE</th>
<th>POTENTIAL</th>
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<td>$0.588827</td>
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INDUSTRIAL DISTRICT AGREEMENT

STATE OF TEXAS
COUNTY OF CAMERON §

THIS INDUSTRIAL DISTRICT AGREEMENT ("Agreement") is made and entered into on the date hereinafter written by and between the CITY OF HARLINGEN, TEXAS, a home-rule municipal corporation of Cameron County, Texas 78550, acting through its Mayor as authorized by its Elective Commission, (hereinafter referred to as "CITY") and PENN ALUMINUM INTERNATIONAL, INC a corporation organized and doing business under the laws of the State of Illinois located at 5602 E. Harrison, Harlingen, Texas 78550. (hereinafter collectively referred to as "COMPANY").

WHEREAS, it is the intention of CITY and COMPANY to enter this Agreement which shall constitute a non-annexation agreement for the property designated as Lots 2 and 3, Block 1, Harlingen Industrial Park Subdivision No. 2 ("Subject Property"); and

WHEREAS, the Subject Property is located in the extraterritorial jurisdiction of the City of Harlingen; and

WHEREAS, Texas Local Government Code Section 42.044 provides for the creation of industrial districts within the extraterritorial jurisdiction of cities; and

WHEREAS, the City Commission of the City of Harlingen adopted Resolution No. 81R-36 dated October 21, 1981 designating a part of its extraterritorial jurisdiction as an industrial district; and

WHEREAS, it is to the mutual advantage of industries and municipalities to cooperate whenever possible for the general advancement of the affected population
because orderly economic growth raises the standard of living and otherwise improves the quality of life for the community as a whole; and

**WHEREAS**, the City Commission of the City of Harlingen is of the opinion that commercial industrial and manufacturing industries should compensate the City proportionately, recognizing their use of municipal services, and realizing that industries derive a benefit, both direct and indirect from municipal services,

NOW THEREFORE, the CITY and COMPANY, in consideration of the agreements exchanged herein do hereby contract as follows:

1) City agrees that all of the land and improvements thereon owned, used, occupied, leased, rented, or possessed by COMPANY within the Subject Property and designated by Resolution No. 81R-36 as an industrial district shall continue its extraterritorial status as an industrial district and shall not be annexed by CITY during the seven 7 year term of this agreement ("Term of this Agreement").

2) CITY further agrees that during the Term of this Agreement, CITY shall furnish to COMPANY police protection, fire protection, and such other services in the same manner furnished to other industries located within the city limits of Harlingen. It is specifically understood that water rates and sewer rates will be the same as the industrial published rates charges within the city limits.

3) COMPANY agrees to pay CITY on or before April 1 of each year during the Term of this Agreement, in lieu of taxes, the first of such payments ("PILOT") to be made on April 1, 2018 an amount calculated on the basis of the following formula:

   a) Calculate 100% of the fair market value of all property real and personal, and improvements owned by COMPANY and the "Subject Property" by
using as the basis thereof, the fair market value established by the Certified Cameron Appraisal District tax rolls as of July 20th of the year prior to each payment year, and subtract the Certified Cameron Appraisal District tax rolls as of July 20, 2017.

4) If any portion of the subject property is located within CITY's corporate limits, that portion shall be subject to the normal tax treatment applicable to land of its type located within CITY.

5) CITY and COMPANY further agree that CITY may terminate this Agreement, annex the "Subject Property", and tax all real and personal property located on the "Subject Property", at 100% of its appraised value in the event COMPANY fails to timely make any payment in lieu of taxes or any substitute to the Payment-In-Lieu-Of-Taxes as and when required by this Agreement.

6) If Company is involved in a contest concerning the accuracy of the appraisal of the real and personal property located on the "Subject Property", COMPANY will make the payment in lieu of taxes required under this Agreement for the amount of the Appraisal not contested.

7) CITY AND COMPANY hereby mutually agree that venue for any suit arising under this Agreement shall be in a court of appropriate jurisdiction in Cameron County, Texas.

8) Subject to all of the provisions hereof, CITY agrees that it will not annex the "Subject Property" described in this Agreement for the period of seven (7) years from the date written below herein.
10) Upon the expiration of this AGREEMENT, CITY's agreement not to annex the Subject Property shall terminate and COMPANY shall be considered by virtue of this AGREEMENT to have petitioned CITY to annex the Subject Property, and CITY may annex the Subject Property pursuant to the procedures applicable to voluntary annexations. COMPANY agrees that it shall execute any additional instruments that may be necessary to effectuate the voluntary annexation.

[Remainder of page left intentionally blank]
WITNESS OUR HAND IN DUPLICATE ORIGINALS THIS 13th day of
SEPTEMBER, 2018.

PENN ALUMINUM INTERNATIONAL, INC.
BY: CHRIS MEDLIN
ITS VP FINANCE

ATTEST:

________________________
ITS: ____________________

CITY OF HARLINGEN

BY: ____________________
   Chris Boswell, Mayor

ATTEST:

Elena Garza, Asst. City Secretary
CORPORATE ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF CAMERON §

BEFORE ME, the undersigned authority on this day personally appeared Chris Boswell, Mayor of the City of Harlingen, Texas, a municipal corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity herein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS _____ day of ______________________.

________________________________________________________________________
Notary Public, State of Texas
My Commission Expires: __________________

CORPORATE ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF CAMERON §

BEFORE ME, the undersigned authority on this day personally appeared _____________________________________________ of PENN ALUMINUM INTERNATIONAL, INC. an ILLINOIS corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity herein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS _____ day of ______________________.

________________________________________________________________________
Notary Public, State of Texas
My Commission Expires: __________________

Page 8 of 7
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **October 3, 2018**

**Agenda Item:**
Consider and possible action to approve a Resolution amending the 401(a) Retirement Plan to add the Harlingen Waterworks System employees hired on or after October 1, 2018 to the plan and add a member to the Plan Trustees.

**Prepared By (Print Name):** Gabriel Gonzalez
**Title:** Assistant City Manager

**Signature:** [Signature]

**Brief Summary:**
This Resolution establishes that all employees hired on or after October 1, 2018 by the Harlingen Waterworks System will be added to the City’s 401(a) Retirement Plan and further states that the General Manager (Tim Skoglund) for the Waterworks System will be added as a Trustee to the Plan.

**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:**
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
RESOLUTION NO._____

A RESOLUTION OF THE CITY OF HARLINGEN AMENDING THE 401(A) RETIREMENT PLAN TO ADD THE WATERWORKS SYSTEM EMPLOYEES TO THE PLAN AND ADD A MEMBER TO THE PLAN TRUSTEES, PROVIDING FOR OTHER MATTERS RELATED TO THE FORGOING.

WHEREAS, the City Commission (the “Commission”) of the City of Harlingen (“Employer”) having discussed this matter at a public meeting, does hereby adopt this resolution; and

WHEREAS, the Commission established the City of Harlingen 401(a) Retirement Plan and Trust (the “Plan”) as permitted by the Internal Revenue Code; and

WHEREAS, the Commission, pursuant to Section 14, of the Basic Plan Document, has the authority to amend the Plan and appoint Trustees to manage the Plan; and

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

SECTION 1: Employees of the City of Harlingen Waterworks System (“Waterworks”) hired on or after October 1, 2018 shall be covered by the Plan.

SECTION II: The General Manager of the City of Harlingen Waterworks System is hereby appointed as a Trustee of the Plan effective October 1, 2018.

IN WITNESS WHEREOF, the undersigned hereby affirms that this Resolution was duly passed and approved by the City Commission of the City of Harlingen by a vote of ___ to ___ on this the 3rd day of October, 2018.

CITY OF HARLINGEN

ATTEST: 

Chris Boswell, Mayor

Amanda C. Elizondo, City Secretary
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: October 3, 2018

Agenda Item:
Public Hearing to receive comments regarding the proposed voluntary annexation and to establish the initial zoning to Residential, Single Family ("R-1") District for 8.95 acres out of Block 35, Petersburg Syndicate Subdivision, located on the east side of Park Lane East, north of Spur 54. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Daniel Dominguez

Prepared By: Rodrigo Davila, CPM
Title: Planning and Development Director
Signature: 

Project Timeline

- **July 15, 2018** – Voluntary Annexation Request submitted to the City; application deemed complete (ATTACHMENT I).
- **August 15, 2018** – Consideration of a resolution by the City Commission directing staff to prepare a service plan for the annexation and to initiate proceedings.
- **September 1, 2018** – In accordance with Statute and local law, notice of required public hearings (for the zoning and first public hearing for the annexation) published in the Valley Morning Star.
- **September 12, 2018** – Public hearing was conducted by the Planning and Zoning Commission (P&Z). The P&Z Commission recommended approval to rezone the property to R-1 District upon annexation by 5 to 0 vote.
- **September 19, 2018** – First Public Hearing was conducted by the City Commission.
- **September 22, 2018** – In accordance with Statute and local law, notice of second public hearing published in the Valley Morning Star.
- **October 3, 2018** – Second Public Hearing before the City Commission
- **October 17, 2018** – Consideration of annexation by the City Commission via First Ordinance Reading.
- **November 7, 2018** – Pending approval of 1st ordinance reading, consideration of annexation by the City Commission via Second Ordinance Reading.

Summary

- In accordance with the Texas Local Government Code and the City Code of Ordinances, three public hearings are required as related to the voluntary annexation request. One public hearing is required before the Planning and Zoning Commission and two public hearings are required before the City Commission. This represents the second of two public hearings required before the City Commission.
- Daniel Dominguez, the applicant and property owner has requested the voluntary annexation of 8.95 acres of land. All of the subject property is outside, but adjacent to, the current city limits.
- The applicant is proposing to subdivide the subject property into a one lot residential subdivision under the name of Dominguez Subdivision. Part of the proposed subdivision...
(0.16 acres) is currently inside the city limits, and the east 8.95 acres is located outside the city limits and is landlocked. The Dominguez Subdivision will have frontage on Park Lane East (ATTACHMENT II).

- The developer will be responsible for all infrastructure provisions, including street development, street lights, water and wastewater services, storm sewer, and other requirements as specified under the subdivision regulations.

- Water and wastewater disposal for this subdivision is being provided through HWWS.

- Concurrent with the annexation, the subject property will be zoned to Light Industry (“LI”) District. The requested zoning is consistent with the Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision One Harlingen. (ATTACHMENT III-V).

- The Draft Service Plan outlines the services to be provided within sixty (60 days after the effective date of annexation and the capital improvements that will begin construction within two and one-half (2-1/2) years of the effective date of the annexation (ATTACHMENT VI).

- The subject annexation will require three public hearings and two reading of the ordinance to annex the property. The above timeline delineates the annexation process.

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<td>Are funds specifically designated in the current budget for the full amount</td>
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<td>for this purpose?</td>
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<td>*If no, specify source of funding and amount requested:</td>
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<th>Staff Recommendation:</th>
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<td>Staff recommends conducting the public hearing. No action is required.</td>
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<th>City Attorney’s approval:</th>
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CITY OF HARLINGEN PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

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<tr>
<th>Project Address</th>
<th>Nearest Intersection</th>
<th>Property Information</th>
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<tbody>
<tr>
<td></td>
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<td>PAUL LAVE EAST</td>
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(Proposed) Subdivision Name: DOMINIC Z. SUBDIVISION
Lot: 1
Block: 1

Existing Zoning Designation: UN DESIGNATED
Future Land Use Plan Designation: SINGLE FAMILY

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

<table>
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<tr>
<th>Applicant/Authorized Agent</th>
<th>Phone</th>
<th>Email Address (for project correspondence only):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daniel Dominiiez</td>
<td>713-556-5600</td>
<td><a href="mailto:dominiiez@gmail.com">dominiiez@gmail.com</a></td>
</tr>
</tbody>
</table>

Mailing Address: 7501 LAKESHORE M N
City: HARLINGEN
State: TX
Zip: 78552

<table>
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<tr>
<th>Property Owner</th>
<th>Phone</th>
<th>Email Address (for project correspondence only):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>713-556-5600</td>
<td><a href="mailto:dominiiez@gmail.com">dominiiez@gmail.com</a></td>
</tr>
</tbody>
</table>

Mailing Address: 7230 IRIS 6600
City: HARLINGEN
State: TX
Zip: 78552

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

- [X] Annexation Request............. No Fee
- [ ] Administrative Appeal (ZBA)........ $125.00
- [ ] Comp. Plan Amendment Request........ $250.00
- [X] Re-zoning Request............. $250.00
- [ ] SUP Request/Renewal............. $250.00
- [ ] Zoning Variance Request (ZBA)........ $250.00
- [ ] PDD Request............. $250.00

Please provide a basic description of the proposed project:

2 LOTS BEING COMBINED TO 1 SINGLE FAMILY LOT

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: 6/21/10

Property Owner(s) Signature: [Signature]
Date: 6/29/10

Accepted by: [Signature]
Date: 6/30/10

[Stamp: RECEIVED JUN 9, 2010]
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.

☐ City and School Tax Certificates

☐ 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 with 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 re-zoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner: [Name]
Owner Address: P.O. Box 555
Phone/Fax: 536-565
Signature: [Signature]

Property is being annexed, current request to re-designate from UNDESIGNATED to SINGLE FAMILY RESIDENTIAL
Request for voluntary annexation and establish the initial zoning to Residential, Single Family ("R-1") District for 8.95 acres out of Block 35, Petersburg Syndicate Subdivision, located on the east side of Park Lane East, north of Spur 54. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Daniel Dominguez.
Future Land Use Map

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

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 08/22/16.
### Attachment VI

See attached service plan.
ORDINANCE NO. 18-______

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN THROUGH ANNEXATION AND ESTABLISHING THE INITIAL ZONING TO R-1 DISTRICT CONSISTING OF 8.95 ACRES OUT OF BLOCK 35, PETERSBURG SYNDICATE SUBDIVISION, LOCATED ON THE EAST SIDE OF PARK LANE EAST NORTH OF SPUR 54; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, it is deemed to be in the best interest of the City of Harlingen, Texas to consider the annexation and zoning of certain land area hereinafter described; and

WHEREAS, said land area is adjacent to and abutting upon the present city limits of the City of Harlingen, and is within the exclusive extra-territorial jurisdiction of the City of Harlingen; and

WHEREAS, the Elective Commission has heretofore held two public hearings at a meeting of the Elective Commission at the City Commission Room at City Hall, 118 E. Tyler Avenue, Harlingen, Texas on September 19, 2018 and October 3, 2018 pursuant to the provisions of Chapter 43, Texas Local Government Code, as amended; and

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

WHEREAS, such public hearing was duly conducted at the time and public place indicated above,

WHEREAS, the Elective 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

That the corporate boundary limits of the City of Harlingen, Texas are hereby extended and
as shown on Exhibit "A" pursuant to the provisions of Chapter 43, Texas Local Government Code to include the areas described as:

A 8.95 acres out of Block 35, Petersburg Syndicate Subdivision, located on the east side of Park Lane east north of Spur 54.

All of which property is located in Cameron County, Texas and said property lying adjacent to and abutting upon the current boundaries of the City of Harlingen, Texas and within the exclusive extraterritorial jurisdiction of the City of Harlingen; and

That the territory hereinabove described from shall be zoned upon annexation to Residential, Single Family ("R-1") and after the date hereof shall be subject to all the acts, ordinances, resolutions and regulations of the City of Harlingen, Texas and all ad valorem and other applicable taxes to the area.

A service plan prepared pursuant to Section 43.056 of Chapter 43, Texas Local Government Code providing for the extension of municipal services into the area hereby annexed is attached hereto as Exhibit "A", and said service plan is hereby in all things approved and adopted. The area identified by the property description compromises a total of approximately 8.95 acres and is identified on the map attached to the service plan.

FINALLY ENACTED this _____ day of ____________, 2018 such date being the date of the second presentation of said Ordinance to the said Elective Commission. This Ordinance was finally enacted at a regular meeting of the Elective Commission of the City of Harlingen, Texas on November 7, 2018 at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551, as amended.

CITY OF HARLINGEN
Chris Boswell, Mayor

ATTEST:

Amanda Elizondo, City Secretary
DESCRIPTION OF TRACT:

A 8.95 acres out of Block 35, Petersburg Syndicate Subdivision, located on the east side of Park Lane East, north of Spur 54

PREPARED BY
CITY OF HARLINGEN PLANNING AND ZONING DEPARTMENT

DATE COMPLETED: September 13, 2018
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Introduction .......................................................... 2
Map of Proposed Annexation ..................................... 3
Services to be Provided within 60 days ....................... 4
Services to be Provided within 2-1/2 years .................... 5
INTRODUCTION

In accordance with Chapter 43, Section 43.056, Texas Local Government Code, "governing body of the City proposing the annexation shall direct its planning or other appropriate department to prepare a service plan that provides for extension of municipal services into each area to be annexed". It is for this reason that this plan has been prepared.

Texas Local Government Code Section 43.056(f), requires that a service plan may not: 1) require the creation of another political subdivision; 2) require a landowner in the area to fund the capital improvement necessary to provide municipal services in a manner inconsistent with Chapter 395 unless otherwise agreed to by the landowner; or 3) provide services in the area in a manner that would have the effect of reducing by more than a negligible amount the level of the fire and police protection and emergency services provided within the corporate boundaries of the municipality before annexation.

The plan is divided into three sections that will illustrate the area proposed for annexation and explain the quality and quantity of services to be delivered to the proposed annexed area. The first section is a map of the area(s) to be annexed. The second and third sections consist of description of services that will be delivered within sixty (60) days after the effective date of annexation and the capital improvements that will begin construction within two and one-half (2 1/2) years of the effective date of annexation.
Annexation of 8.95 acres out of Block 35, Petersburg Syndicate Subdivision.

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 graphical 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 072618.
Services to be Provided within 60 days of Annexation

Fire:
The Harlingen Fire Department will provide fire protection on effective date of annexation using present personnel and equipment. Additional facilities, fire apparatus, and personnel will be requested as population and geographic size warrants.

Police:
Patrolling and on-call police protection available on effective date of annexation using present personnel and equipment. Patrol positions will be added when population warrants.

Solid Waste Collection:
City garbage collection services will be provided to all residential and commercial customers within the annexed areas in accordance with adopted city ordinances.

Brush and Debris collections services will be made available to all residential and commercial customers in accordance with adopted city ordinances within the annexed area.

As per Texas Local Government Code 43.056, before the second anniversary of the date an area is included within the corporate boundaries of a municipality by annexation, the municipality may not prohibit the collection of solid waste in the area by a privately owned solid waste management service provider. After that time period, solid waste services provided by the City becomes mandatory.

Water and Wastewater:
Routine maintenance of water and wastewater facilities, if any, in the annexed area.

Water and wastewater facilities for domestic and commercial uses will be available at rates according to policies of the Harlingen Waterworks Department from existing lines not within the service area of another water or wastewater utility on the effective date of annexation.

Streets and Street Lighting:
There are no streets within the proposed annex area.

Operation and Maintenance of Parks, Playgrounds & Swimming Pools:
Access to all public parks, playgrounds, and swimming pools, on effective date of annexation.

Operation and Maintenance of Publicly Owned Facilities & Buildings:
Maintenance of any publicly owned facilities, buildings, or services will begin within 60 days of the effective date of annexation.
Capital Improvements to be Completed within 2 ½ Years of Annexation

Fire:
No capital improvement funds or equipment requested at this time. Additional facilities, fire apparatus, and personnel will be requested as population and geographic size warrants.

Police:
None at this time. Additional personnel and equipment will be requested as population and geographic size warrants.

Solid Waste Collection:
City garbage collection services will be provided to all residential and commercial customers within the annexed areas in accordance with adopted city ordinances.

Brush and Debris collection services will be provided to all residential and commercial customers in accordance with adopted city ordinances within the annexed area.

As per Texas Local Government Code 43.056, before the second anniversary of the date an area is included within the corporate boundaries of a municipality by annexation, the municipality may not prohibit the collection of solid waste in the area by a privately owned solid waste management service provider. After that time period, solid waste services provided by the City becomes mandatory.

Water and Wastewater:
New water and wastewater lines of the Harlingen Waterworks will be extended to areas not within the service area of another water or wastewater utility by developers as land becomes subdivided in accordance with City and Waterworks ordinances and policies. Landowners in the area are not required to fund water and wastewater capital improvements necessary to provide full municipal services that are inconsistent with Texas Local Government Code Chapter 395 unless otherwise agreed to by the landowner.

Streets and Street Lighting:
Complete Streets (i.e. curb and gutter, signage, striping, street lights, storm drainage, etc.) is to be installed and/or constructed by the developer according to city policies when land is subdivided.

Parks, Playgrounds & Swimming Pools:
None

Publicly Owned Facilities & Buildings:
None
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: October 3, 2018

Agenda Item:
Consider and take action to adopt a resolution directing staff to prepare a service plan and initiate proceedings for the voluntary annexation of a 1.0± acre of land being the North 50 feet of a 2.766 acre tract of land out of Block 54, David and Stephenson Subdivision, located on the west side of Briggs Coleman Road north of Loop 499. Applicant: John W. Drennan, c/o Troy Investment Company No. 7, L.P.

Prepared By: Rodrigo Davila, CPM
Title: Planning and Development Director
Signature: 

Project Timeline

- September 12, 2018 – Voluntary Annexation Request submitted to the City; application deemed incomplete (ATTACHMENT I AND II).
- September 20, 2018 – Metes and bounds description of annexation submitted; application deemed complete.
- October 3, 2018 – Consideration of a resolution by the City Commission directing staff to prepare a service plan for the annexation and to initiate proceedings.
- November 3, 2018 – In accordance with Statute and local law, notice of required public hearings (for the zoning and first public hearing for the annexation) published in the Valley Morning Star.
- November 14, 2018 – Public hearing to recommend a zoning designation of tract upon annexation by the Planning and Zoning Commission.
- November 17, 2018 – First Public Hearing before the City Commission
- November 24, 2018 – In accordance with Statute and local law, notice of second public hearing published in the Valley Morning Star.
- December 5, 2018 – Second Public Hearing before the City Commission
- December 19, 2018 – Consideration of annexation by the City Commission via First Ordinance Reading.
- January 2, 2019 – Pending approval of 1st ordinance reading, consideration of annexation by the City Commission via Second Ordinance Reading.

Summary

- John W. Drennan, the applicant on behalf of Troy Investment Company No. 7, L.P has requested the voluntary annexation of 1.0± acre of land. All of the subject property is outside, but adjacent to, the current city limits (ATTACHMENT II).

- The applicant is proposing to subdivide the subject property into a three lot commercial subdivision to allow for the expansion of an existing storage unit business. The proposed subdivision will consist of an existing recorded lot that has frontage on Loop 499, and a 2.76 acre tract of land adjacent to the north of the said lot. Part of the proposed subdivision (2.73 acres) is currently inside the city limits and the north 1.0 acre is located outside the city limits. The proposed subdivision will have frontage on Loop 499 and...
Briggs Coleman Road (ATTACHMENT III).

- The developer will be responsible for all infrastructure provisions, including street development, street lights, water and wastewater services, storm sewer, and other requirements as specified under the subdivision regulations.
- Water and wastewater disposal for this subdivision is proposed to be provided through HWWS.
- The developer has requested General Retail (“GR”) District zoning for the subject property.
- The subject annexation will require three public hearings and two reading of the ordinance to annex the property. The above timeline delineates the annexation process.

<table>
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<th>Funding (if applicable):</th>
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<tr>
<td>Are funds specifically designated in the current budget for the full amount</td>
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<tr>
<td>*If no, specify source of funding and amount requested:</td>
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| Finance Director’s approval: | Yes | No | N/A |

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<th>Staff Recommendation:</th>
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<td>Staff recommends approval.</td>
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| City Manager’s approval: | Yes | No | N/A |

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<tr>
<th>Comments:</th>
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| City Attorney’s approval: | Yes | No | N/A |
**CITY OF HARLINGEN PLANNING AND ZONING DIVISION**  
**MASTER APPLICATION**

**PROPERTY INFORMATION:** (Please PRINT or TYPE)  
Project Address: 20058 Briggs Coleman  
Nearest Intersection: Briggs Coleman & Loop 499  
(Proposed) Subdivision Name: not platted  
Lot: Block:  
Existing Zoning Designation: not zoned  
Future Land Use Plan Designation: general retail

**OWNER/APPLICANT INFORMATION:** (Please PRINT or TYPE)  
Applicant/Authorized Agent: Stephen M. Gano  
Phone: 956-838-1133  
Fax: 956-838-1766  
Email Address (for project correspondence only): sgano@oakcrestmgmt.com  
Mailing Address: P.O. Box 3817  
City: Brownsville  
State: TX  
Zip: 78523-3817  
Property Owner: Troy Investment Company No. 7, L.P.  
Phone: 956-838-1133  
Fax: 956-838-1766  
Email Address (for project correspondence only):  
Mailing Address: P.O. Box 3817  
City: Brownsville  
State: TX  
Zip: 78523-3817

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

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<td>Re-zoning Request</td>
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<td>SUP Request/Renewal</td>
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<tr>
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</tr>
<tr>
<td>PDD Request</td>
<td>$250.00</td>
</tr>
<tr>
<td>Preliminary Plat</td>
<td>$100.00</td>
</tr>
<tr>
<td>Final Plat</td>
<td>$50.00</td>
</tr>
<tr>
<td>Minor Plat</td>
<td>$100.00</td>
</tr>
<tr>
<td>Re-plat</td>
<td>$250.00</td>
</tr>
<tr>
<td>Vacating Plat</td>
<td>$50.00</td>
</tr>
<tr>
<td>Development Plat</td>
<td>$100.00</td>
</tr>
<tr>
<td>Subdivision Variance Request</td>
<td>$25.00 (each)</td>
</tr>
</tbody>
</table>

Please provide a basic description of the proposed project: The North approximately 50 feet of our property is outside the city limits. The entire tract needs to be inside the city limits for development purposes.

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: 7/12/18

Property Owner(s) Signature: [Signature]  
Date: 9/12/18

Accepted by: [Signature]  
Date:
PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF CAMERON, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.035, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Harlingen, Texas, the following described territory, to wit:

Described on Exhibit “A”

We certify that the above described tract of land is contiguous and adjacent to the City of Harlingen, Texas, is not more than one-half mile in width [only limited by Local Government Code Section 43.028], and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Troy Investment Company No. 7, L.P.
By: Parkwood Enterprises, Inc., General Partner
By: John W. Drennan, President

THE STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, the undersigned authority, on this day personally appeared John W. Drennan, President, of Parkwood Enterprises, Inc., General Partner of Troy Investment Company No. 7, L.P., known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 13th day of September, 2018.

OLIVIA RODRIGUEZ
My Notary ID # 12821228
Expires August 24, 2021
Notary Public in and for Cameron County, Texas.
The Northernmost 50’ of a 2.766 acre tract of land, more or less, out Block Fifty Four (54), DAVID AND STEPHENSON SUBDIVISION, Cameron County, Texas as recorded in Volume 1, Page 2 of the Cameron County Map Records, said 2.766 acre tract of land being more particularly described as follows:

Commencing at the Northwest corner of said Block 54, said corner being on the Northwest corner of Montezuma Estates Subdivision as recorded in Cabinet 1, Slot 2438-B of the Cameron County Map Records;

Thence, South 00 degrees 03 minutes 00 seconds West, with the contiguous West line of said Block 54, and West line of said Montezuma Estates Subdivision, a distance of 490.79 feet to the Southwest corner of said Montezuma Estates Subdivision;

Thence, South 89 degrees 57 minutes 00 seconds East, with the South line of said Montezuma Estates Subdivision, a distance of 489.35 feet to a ¼ inch steel rod previously set for the Northwest corner and Point of Beginning of the tract of land herein described;

Thence, continuing South 89 degrees 57 minutes 00 seconds East, with the South line of said Montezuma Estates Subdivision, at a distance of 860.21 feet passing a ¼ inch steel rod set on the apparent West right of way line of Briggs-Coleman Road, a total distance of 876.61 feet to a point on the East line of said Block 54 for the Northeast corner of this tract;

Thence, South 00 degrees 15 minutes 45 seconds East, with the East line of said Block 54, a distance of 137.39 feet to a point for the Southeast corner of this tract;

Thence, North 89 degrees 57 minutes 00 seconds West, parallel to the North line of said Block 54, at a distance of 16.40 feet passing a ¼ inch steel rod set on the apparent West right of way line of said Briggs-Coleman Road, a total distance of 877.36 feet to a ¼ inch steel rod previously set for the Southwest corner of this tract, said corner being on the Northwest corner of Lot 2, Block 1, Replat of Lots 1, 2 and 4 Stone Subdivision Phase II as recorded in Cabinet 1, Slot 2897-B of the Cameron County map Records;

Thence, North 00 degrees 03 minutes 00 seconds East, parallel to the West line of said Block 54, a distance of 137.39 feet to the Point of Beginning and containing 2.766 acres of land, more or less.
RESOLUTION NO. 18-_____

STATE OF TEXAS
COUNTY OF CAMERON

WHEREAS, after a thorough study being made, it deemed to be in the best interest of the City of Harlingen, Texas to consider the annexation of certain land area lying within the extraterritorial jurisdiction of the City of Harlingen, said territory being more particularly described as a 1.0 ± acre of land being the North 50 feet of a 2.766 acre tract of land out of Block 54, David and Stevenson Subdivision, located on the west side of Briggs Coleman Road north of Loop 499, and as shown on the map attached hereto as Exhibit “A”.

BE IT RESOLVED BY THE CITY OF HARLINGEN:

That three public hearing are hereby set to be held in the City Hall Town Hall in accordance with Chapter 43, Texas Local Government Code, as amended, on November 14, 2018 at 5:30 p.m., on November 17, 2018 at 5:30 p.m., and on December 5, 2018 at 5:30 p.m. and that each public hearing all interested person will be held considering the annexation of the subject tract of land to the City of Harlingen.

BE IT FURTHER RESOLVED BY THE CITY OF HARLINGEN:

That notice of public hearings will be published in the Valley Morning Star in accordance with Chapter 43, Texas Local Government Code, as amended.

BE IT FURTHER RESOLVED BY THE CITY OF HARLINGEN:

That the Director of Planning and Development is hereby directed to prepare a service plan providing for the extension of municipal services into said land area in accordance with Chapter 43, Texas Local Government Code as amended.
CONSIDERED AND ADOPTED THIS ____ day of __________, 2018 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, as amended.

CITY OF HARLINGEN

__________________________________________
Chris Boswell, Mayor

ATTEST:

__________________________________________
Amanda C. Elizondo, City Secretary
Annexation of 1.0 +/- acre of land being the north 50 feet of a 2.766 acres tract of land out of Block 54, David and Stephenson Subdivision