Notice is hereby given that the above governmental body will hold a Regular Meeting on Wednesday, February 19th, 2020 at 5:30 P.M. at City Hall, Town Hall Meeting Room, 2nd Floor, 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) 216-5001 or write Post Office Box 2207, Harlingen, Texas 78550 at least 48 hours in advance of the meeting.

The Harlingen City Commission reserves the right, pursuant to the Texas Government Code Chapter 551, Subchapter D, to enter into closed executive session on any item posted on the agenda if a matter is raised that is appropriate for closed discussion.

Invocation – Mayor Chris Boswell

Pledge of Allegiance/Welcome

Call Meeting to Order

Citizen Communication/Input

1) Proclamation – proclaiming the month of February, 2020 as “Black History Month”

2) Recognition to the City of Harlingen Finance Department, Recipient, of the GFOA Certificate of Achievement for excellence in financial reporting. (Finance Dept.)

3) Presentation of the Texas Public Works Association (TPWA) - Field Service Award to the City of Harlingen Public Works Department for the 2019 In-House Project of the Year. (Carlos Sanchez, Asst. City Manager)

4) Approval of Minutes
   Regular Meeting of December 4, 2019

CONSENT AGENDA

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 Items withdrawn from the Consent Agenda for individual consideration in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.

5a) Second and final reading to approve and adopt an ordinance for a Special Use Permit (SUP) to allow a Bar/Lounge in a General Retail (GR) District for Lots 13 & 14, Block 45, Harlingen Original Townsite, located at 204 W. Jackson Ave. Applicant: Larry Keim on behalf of Orpheus Partners, LLC. Attachment (Planning & Zoning)

b) Second and final reading to approve and adopt an ordinance to amend the Planned Development ("PD") Site Plan to adjust setbacks for a 15.18 acre tract of land out of Block 95, Lon C. Hill Subdivision, located on the west side of Ed Carey Drive south of Morris Road. Applicant: Robman Management, LLC. Attachment (Planning & Zoning)

c) Consideration and possible action to approve a request from the South Texas Emergency Care (STEC) to close the 200 Block of East Madison for their Save-A-Life Event, Saturday, February 22, 2020 from 8:00 a.m. to 12:00 p.m. Attachment (Police Dept.)

d) Consideration and possible action to approve a request from Our Lady of Assumption Catholic Church to close the 1300 Block of West Lincoln Avenue between South "L" Street and South "M" Street and all alleyways leading to West Lincoln Avenue from 5:00 p.m. to 11:00 p.m., Friday, April 24th, and Saturday, April 25th, 2020 for their Annual Parrish Kermes. Attachment (Police Dept.)

e) Consideration and possible action to approve a refund of property taxes paid by Norris James, Acct. #98-6538-0020-0010-00 for $931.07 due to a prorated 100% disabled veteran's exemption for Year 2018. Attachment (Finance Dept.)

f) Investment Report for the City of Harlingen for the quarters ending September 30, 2019 and December 31, 2019. (Finance Dept.)

6) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Comprehensive Plan, One Vision One Harlingen Thoroughfare Plan, by changing the alignment of the proposed extension of Golden Bear Drive in a straight alignment to connect with Haine Drive. Applicant: Armando Elizarte. Attachment (Planning and Zoning)

a) Public Hearing

b) Consideration and possible action to approve an ordinance on first reading to amend the City of Harlingen Comprehensive Plan, One Vision One Harlingen Thoroughfare Plan, by changing the alignment of the proposed extension of Golden Bear Drive in a straight alignment to connect with Haine Drive.
7) Public hearing to consider an ordinance on first reading to rezone from Single Family Residential ("R1") District to Multi-Family Residential ("M2") District for Lot 1, Block 3, Shadowbrook Subdivision, located on the south side of E. Davis Street, East of N. 3rd Street. Applicant: Buddy Moody. Attachment *(Planning & Zoning)*

   a) Public Hearing

   b) Consideration and possible action to approve an ordinance on first reading to rezone from Single Family Residential ("R1") District to Multi-Family Residential ("M2") District for Lot 1, Block 3, Shadowbrook Subdivision, located at the above described location.

8) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XVIII, Section 111-509(3) Signs, by amending the sign regulations within the Downtown District Overlay for properties along a state highway. Applicant: City of Harlingen. Attachment *(Planning & Zoning)*

   a) Public Hearing

   b) Consideration and possible action to approve an ordinance on first reading to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XVIII, Section 111-509(3) Signs, by amending the sign regulations within the Downtown District Overlay for properties along a state highway.

9) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article II, Section 111-31(g) Amendments, amending the time frame to resubmit rezoning and special use permit applications. Applicant: City of Harlingen. Attachment *(Planning & Zoning)*

   a) Public Hearing

   b) Consideration and possible action to approve an ordinance on first reading to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article II, Section 111-31(g) Amendments, amending the time frame to resubmit rezoning and special use permit applications.

10) Consideration and possible action to approve a Memorandum of Understanding (MOU) between the Cities of Brownsville, San Benito, and Harlingen to establish a general working agreement to consolidate and coordinate their efforts and resources in the establishment of a Regional Consolidated Plan and Strategy as required by the U.S. Department of Housing and Urban Development and set forth in 24 CFR Part 91 and authorize the Mayor to sign the MOU. Attachment *(Community Development)*

11) Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen Fire Department, to submit a grant application available through the Office of the Governor Homeland Security Grants Division, under the FY 2020/2021 State Homeland Security Program (SHSP) for the purchase of two all terrain vehicles: one Medical and one Fire/Hazmat Decon unit. Attachment *(Fire Dept.)*

12) Consideration and possible action to approve a letter in support of the United States Bicycle Route 55 and 255. Attachment *(Special Projects Director)*
13) Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen, to submit a grant application for funding in the amount of $31,170.00 made available through the Office of the Governor Criminal Justice Division, under the FY 20/21 Justice Assistance Grant (JAG) Program to fund two (2) variable radar message board speed trailers. Attachment (Police Dept.)

14) Consideration and possible action to authorize the Mayor, on behalf of the City Harlingen Municipal Court to submit a grant application for $36,700 through the Office of the Governor Criminal Justice Division FY 2021 Criminal Justice Program-Assistance Grant Program (JAG). Attachment (Finance Dept.)

15) Consideration and possible action to approve the By Laws for the Mayors Wellness Council of Harlingen. Attachment (Parks and Recreation)

16) Consideration and possible action to approve a resolution in support of the Rayo Del Sol Terrace Housing Community Application to the Texas Department of Housing and Community Affairs for 2020 Competitive 9% Housing Tax Credits for the proposed development of the Rayo Del Sol Terrace Housing Development. Attachment (City Manager)

17) 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 (1 - vacancy) (terms expired June, 2019)
d. Civil Service Commission (1)
e. Community Development Advisory Board (2)
f. Construction Board of Adjustments (5)
g. Convention & Visitors Bureau (2)
h. Development Corporation of Harlingen, Inc.
i. Downtown Improvement District Board (3)
j. Golf Course Advisory Board
k. Harlingen Community Improvement Board
l. Harlingen Housing Authority Board (2)
m. Harlingen Finance Corporation (5)
n. Keep Harlingen Beautiful Board (4)
o. Library Advisory Board
p. Mayor Wellness Council
q. Museum Advisory Board (1)
r. Parks Advisory Board
s. Planning & Zoning Advisory Board (2)
t. Senior Citizens Advisory Board (1)
u. Tax Increment Finance Board (7)
v. Utility Board of Trustees
w. Veterans Advisory Board (3)
x. Zoning Board of Adjustments (4)
y. Complete Census Committee
Specifically, appointment or discussion and possible action to include appointment bylaws and/or removal of any position subject to appointment or removal by statute, ordinance or bylaws.

18) Executive Closed Session on the following items:

   a) attorney consultation pursuant to Section 551.071(2), Texas Gov't. Code to receive legal advice pertaining to the City's legal responsibilities and obligations concerning the Tony Butler Golf Course property. *(City Manager)*

   b) 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 Feather and to seek legal advice from the City Attorney regarding the subject matter *(City Manager)*

Adjournment

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, February 14th, 2020 at 8:00 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 14th day of February, 2020

Amanda C. Elizondo, City Secretary
The Government Finance Officers Association of the United States and Canada

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to

Finance Department
City of Harlingen, Texas

The award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the individual(s) designated as instrumental in their government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.

Executive Director

Date January 2, 2020

Christopher P. Merrill
REGULAR MEETING

CITY COMMISSION

December 4, 2019

HARLINGEN, TEXAS

A Meeting of the Harlingen City Commission was held December 4, 2019 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
Mayor Chris Boswell
Michael Mezmar, Mayor Pro-Tem, District 3
Richard Uribe, Commissioner, District 1
Frank Puente, Commissioner, District 2
Ruben De La Rosa, Commissioner, District 4
Victor Leal, Commissioner, District 5

City Staff
Dan Serna, City Manager
Amanda C. Elizondo City Secretary
Rebecca Hayward, Asst., City Attorney

Invocation—Commissioner Ruben De La Rosa

Mayor Boswell recited the Pledge of Allegiance and welcomed those in attendance.

Called Meeting to Order

Mayor Boswell called the meeting to order and announced the meeting was duly posted according to state law. The following proceedings were held.

Citizen Communication / Input

- Connie De la Garza—2814 Lotus, Harlingen, TX—Item #8

1) Presentation of recognition plaques to the Sponsors of the 5th Annual Run/Walk with the Heroes-RGV 2019 Event held on October 12, 2019 by the Harlingen Police Department and District Representatives.

Michael Kester, Chief of Police, presented recognition plaques to the following sponsors that participated in the 5th Annual Run Walk with the Heroes-RGV 2019 held October 12, 2019.

1. Briggs Equipment
2. K-Tex
3. So. Tx. Emergency Care Foundation
4. Russo’s New York Pizza
5. Golden Corral
6. Harlingen Public Schools
7. Downtown Harlingen
8. Palms Behavioral Health
9. Valley Baptist Health System
10. Payne/Ed Payne Motors
11. Footworks
12. Harlingen Medical Center
13. UniFirst
14. Valley Federal Credit Union
15. O’Reilly Auto Parts
16. HEB
17. All Star Nutrition
19. Frankie’s Flav’s
20. Rental World
21. Home Town Lenders
22. Tropical Smoothie Cafe
23. Chick Fil A
24. Oil Patch (Fuel & Supply, Inc.)
25. Boggus Ford
26. Lonestar Printing & More
27. Villafranca Specialized Training & Wellness
28. Spot My Part
29. Stefano’s Brooklyn Pizza
30. Exceptional Emergency Center

Mayor Boswell thanked all the sponsors for participating in this event and expressed his appreciation for what they do for the community.
2) Presentation by Ed Meza, Downtown District Manager, regarding the duties and functions of the Downtown Improvement District.

Ed Meza, Downtown Manager, made a presentation regarding the duties and functions of the Downtown Improvement District and highlighted the following information.

- Downtown Harlingen’s earliest buildings were constructed around the railroad tracks around 1906 and DID was established in 1989 with the mission to foster economic growth and redevelopment in Harlingen’s central business district;
- Currently, there are more than 170 businesses and organizations which consist of a mixture of retail, and service businesses, government, and nonprofit offices, financial institutions, apartments, restaurants, and specialty shops, and some residential housing and apartments;
- The property owners voted to tax themselves through an annual assessment to generate revenues for improvements including landscaping, signage, promotions, and storefront enhancements;
- Some of the goals are: economic growth, creation of new jobs, historic preservation, development of community pride;
- Matching grants are available to help property owners and businesses improve the overall image and enhance economic vitality in Downtown District;
- Some of the projects are with youths such as, office internship and mosaic planter art project;
- The Baxter Lofts was restored into apartment homes; and
- Businesses and downtown events and attracting new events every year.

Mayor Boswell thanked Mr. Meza for the presentation and proceeded with the following item.

3) Approval of Minutes

a) Regular Meeting of November 20, 2019

Motion was made by Commissioner Puente and seconded by Commissioner Leal to approve the minutes of November 20, 2019. Motion carried unanimously.

CONSENT AGENDA

4) Consideration and possible action to approve a refund of property taxes paid by McKinney John F. and Dorothea Trust. Acct. #16-8780-0030-0080-00 in the amount of $1,087.20 due to a homestead veteran’s exemption for Years 2017-2018.

Motion was made by Commissioner Leal and seconded by Mayor Pro-Tem Mezmar to approve the Consent Agenda Item #4. Motion carried unanimously.


Gabriel Gonzalez, Asst. City Manager, stated a public hearing was required to solicit comments from the public prior to submitting the Consolidated Annual Performance and Evaluation Report (CAPER) to HUD as a requirement of the City of Harlingen Citizen Participation Plan. The CAPER consists of the accounting for each activity which includes a summary of resources and accomplishments for FY 2018-2019 Program Year (October 1, 2018 through September 30, 2019). These expenses were in accordance with the approved One-Year Action Plan.

Public Hearing

Mayor Boswell announced this was a public hearing, anyone wishing to speak for or against the Consolidated Annual Performance and Evaluation Report could do so.
There being no comments, Mayor Boswell closed the public hearing.

6) Consideration and possible action to authorize the City Manager to sign the City of Harlingen’s Letter of Commitment to the Multi-Modal Transit Facility Project.

Joel Garza, Special Projects Director, stated on May 15, 2019, the City Commission approved the purchase of the property for the Multi-Modal Transit Facility Project. A letter of commitment is require to be submitted to the Lower Rio Grande Valley Development Council and the Federal Transit Administration advising them that the purchase of the property will be used as the City’s match to the federal grant.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to authorize the City Manager to sign the City of Harlingen Letter of Commitment to the Multi-Modal Transit Facility Project. Motion carried unanimously.

7) Consideration and possible action to approve an Inter-local Agreement between the City of Harlingen and the Lower Rio Grande Valley Development Council to provide a Bike Share Program with an initial of three (3) B-Cycle Stations throughout the City and authorize the Mayor to sign the agreement.

Mr. Garza stated the City of Harlingen would like to participate in the LRGVDC’s Regional Bike Share Program using the B-Cycle Model. These are kiosks equipped with locking mechanism anchored to the ground. The Valley Baptist Legacy Foundation funded approximately 75% of the cost for the Cameron County Stations. The City of Harlingen would be required to pay a one-time expense of 25%. The total cost for three (3) B-Cycle stations, 10 racks, and four (4) bikes will be $27,000 or $9,000 each station. The LRGVDC will be responsible to maintain the bikes and stations throughout the Rio Grande Valley as part of the agreement. This item was approved by the Parks & Recreation Board on November 19, 2019.

A short discussion was held and Commissioner Uribe asked if there is a fee to use the bicycles, how would the money collected from the fees be use and what would the $27,000 pay for.

Mr. Garza replied that the money collected for the use of the bikes would pay for equipment maintenance.

Motion was made by Commissioner Leal and seconded by Mayor Pro-Tem Mezmar to approve an Inter-local Agreement between the City of Harlingen and the Lower Rio Grande Valley Development Council to provide a Bike Share Program with an initial of three (3) B-Cycle Stations throughout the City and authorize the Mayor to sign the agreement. Motion carried unanimously.

8) Consideration and possible action to approve a resolution in support of the Pendleton Square LP Application to the Texas Department of Housing and Community Affairs for 2020 Housing Tax Credits for the proposed development of the Pendleton Square Apartments.

Mr. Serna stated Pendleton Square, LP intents to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for the development of Pendleton Square Apartments for affordable rental housing at the northeast corner of Doctors Memorial Drive & Medical Drive. They are requesting financial support from the City in the amount of $500.

Connie De La Garza, representative of Springfield Missouri and the Zimmerman Group stated is the local realtor for the Harlingen group.
Jeff Beckler with the Zimmerman Group gave a short presentation of the Pendleton Square Apartments and stated they were proposing to resubmit the application due to new changes on TDHCA scoring system.

Motion was made by Commissioner Uribe and seconded by Commissioner Puente to approve a resolution in support of the Pendleton Square LP Application to the Texas Department of Housing and Community Affairs for 2020 Housing Tax Credits for the proposed development of the Pendleton Square Apartments. Motion carried unanimously.

Consideration and possible action to approve an ordinance on first reading to amend the City of Harlingen’s Budget for Fiscal Year 2019-2020.

Robert Rodriguez, Finance Director, stated the proposed budget amendment reflects allocation of funds for the prior fiscal year of unspent encumbrances, grants, and other revenues and expenditures which were not included in the current fiscal year. He highlighted Exhibit “A” which showed the total revenues, expenditures, and estimated fund balances by fund after the amendment and Exhibit “B” showed detailed changes in revenues and expenditures by account number.

Allison Bastian, Asst. City Attorney read the caption.

Motion was made by Commissioner Leal and seconded by Mayor Pro-Tem Mezmar to approve an ordinance on first reading to amend the City of Harlingen’s Budget for Fiscal Year 2019-2020. Motion carried unanimously.

Consideration and possible action to approve a resolution designating signatories on the City of Harlingen’s bank accounts and the use of facsimile signatures on checks drawn on those accounts.

Mr. Rodriguez stated a resolution is required to establish the following as signers to the City’s bank accounts. The authorized signers for the City are City Manager, Dan Serna, Assistant City Manager, Gabriel Gonzalez and Finance Director Robert Rodriguez. The facsimile contains both the City Manager’s and the Finance Director’s signatures and is used for all computer generated checks.

Motion was made by Commissioner De La Rosa and seconded by Mayor Pro-Tem Mezmar to approve a resolution designating signatories on the City of Harlingen’s bank accounts and the use of facsimile signatures on checks drawn on those accounts. Motion carried unanimously.

Consideration and possible action to approve a refund of property taxes paid by EIS, Inc., due to a change in property value for Year 2018, Acct. #00-0100-0210-0125-99 for $60,166.69.

Mr. Rodriguez stated the refund request is due to a change of value for “2018". (The $9,598,503 represents units not dollar amounts), due to this error the company filed a pretest on January 22, 2019 and the amount was decreased to $1,841,531. An additional 10% penalty was added for “substantial error correction”, therefore the amount has been adjusted. The total amount requested is $60,166.69.

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner De La Rosa to approve a refund of property taxes paid by EIS, Inc., due to a change in property value for Year 2018, in the amount $60,166.69, Acct. #00-0100-0210-0125-99. Motion carried unanimously.

Consideration and possible action to authorize the Mayor to accept the STEP Impaired Driving Mobilization Grant of $10,000 made available through the Texas Department of Transportation.
Commercial Motor Vehicle Program (City's share - $2,543.79) for a total of $12,543.79 for Year 2020-2021.

Michael Kester, Chief of Police, stated the grant will provide funding for overtime costs and operating expenses, and additional manpower in a state-led and unified strategy to increase effective enforcement and adjudication of public safety to reduce fatal and serious injury crashes involving Commercial Motor Vehicles. The City’s match is $2,543.79.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to authorize the Mayor to accept the STEP Impaired Driving Mobilization Grant. Motion carried unanimously.

13) Consideration and possible action to authorize the City Manager to sign an agreement with Tarrant County Cooperative Purchasing Program to have access to an additional resource to purchase equipment and materials at a competitive price.

Chief Kester stated the Tarrant County Cooperative Purchasing Program permits other entities to participate to purchase vehicles, equipment and materials at a competitive price. By entering into this agreement the City of Harlingen will have access to purchase at the Tarrant County pricing. There are 235 cities and 109 counties participating in this program.

Motion was made by Commissioner Puente and seconded by Commissioner De La Rosa to authorize the City Manager to sign an agreement with Tarrant County Cooperative Purchasing Program to have access to an additional resource to purchase equipment and materials at a competitive price.

14) Consideration and possible action to authorize staff to negotiate an agreement with Top Box Tickets to provide ticketing services for the Harlingen Municipal Auditorium and Casa de Amistad and authorize the City Manager to sign the agreement.

Joel Humphries, Arts and Entertainment Director, stated the agreement with Vendini expired December, 2019. In October, 2019 staff advertised for proposals in the Valley Morning Star. The City received two (2) proposals from Top Box Tickets and ETix. The proposals were evaluated by the Arts and Entertainment staff and the Finance Dept. The proposals were evaluated based on the following criteria. Staff is recommending negotiating an agreement with Top Box Tickets.

- Access to ticketing software training for pertinent City of Harlingen staff;
- Location of vendor’s home office and access to upper-level management;
- Anticipated ability to perform the service required (verification will be obtained by contacting current and past customers provided by the prospective vendors);
- Documentation of current PCI Compliance Standards and SOC’s; and
- Accessibility and user-friendliness of Customer Purchase Portal, on a scale of 1-20 for a possible cumulative score of 100 points.

Motion was made by Commissioner Uribe and seconded by Commissioner Puente to authorize staff to negotiate an agreement with Top Box Tickets to provide ticketing services for the Harlingen Municipal Auditorium and Casa de Amistad and authorize the City Manager to sign the agreement. Motion carried unanimously.

15) Consideration and possible action to enter into a Memorandum of Understanding (MOU) with UTRGV and the City of Harlingen, for an Internship Program for students pursuing Public Health, Entomology, or Medical Entomology Degrees and authorize the City Manager to sign the agreement.
Josh Ramirez, Environmental Health Director, stated the program will help promote the development of leadership and mentoring skills of UTRGV students. It will provide the UTRGV students the opportunity to participate in an Internship with the City’s Environmental Health Department. Students will engage in activities and tasks that are relevant in the field of public health, entomology or medical entomology. This program will be at no cost to the City, and any related costs will be absorbed by UTRGV.

Motion was made by Commissioner Puente and seconded by Commissioner De La Rosa to enter into a Memorandum of Understanding (MOU) with UTRGV and the City of Harlingen, for an Internship Program for students pursuing Public Health, Entomology, or Medical Entomology Degrees and authorize the City Manager to sign the agreement. Motion carried unanimously.

16) Consideration and possible action to amend the Harlingen Code of Ordinances Sec. 6-152-Micro-Chipping of cats and dogs to include the wording "not already micro-chipped" to Paragraph (c).

Mr. Ramirez recommended amending Sec. 6-152 of the Code Ordinances to read “all impounded dogs or cats, not already micro-chipped shall have a micro-chip inserted between its shoulder blades before being released to its' owner.” The owner of the dog or cat shall pay the cost for the procedure in addition to the impoundment fee.

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 amend the Harlingen Code of Ordinances Sec. 6-152, Micro-chipping of cats and dogs to include the wording “not already micro-chipped” to paragraph (c). Motion carried unanimously.

17) Consideration and possible action to approve an ordinance on first reading amending Chapter 18 of the Harlingen Code of Ordinances establishing the correction of rental fees for the City Stage and Mobile Restroom.

Javier Mendez, Parks and Recreation Director, stated staff is requesting to amend the Master Fee Ordinance to reflect the correct rental fee language for the use of the City stage and mobile restroom. On January 17, 2018, the City Commission approved the new and updated fees, which included recommended rental rates for vendor booths at various city parks, Harlingen Field and rental rates for use of the mobile stage and mobile restroom. The amendment to the ordinance presented corrects the rental rates for the City stage and mobile restrooms. The amendment will allow the City to rent the City stage and mobile restroom to the public for private events with the condition that the event will be accessible to the general public at no cost.

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 amending Chapter 18 of the Harlingen Code of Ordinances establishing the correction of rental fees for the City stage and mobile restroom. Motion carried unanimously.

18) Consideration and possible action to approve the purchase of 12 pieces of golf course maintenance equipment using the Buy Board Purchasing Program in lieu of bidding or RFP’s and approve the municipal lease purchase agreement with TCF National Bank for a term of five (5) years and authorize the City Manager to sign the agreement.
Mr. Mendez stated the Tony Butler Golf Course has a fleet from two (2) different lease programs, (1) one from John Deere and another one from Jacobsen. Staff visited with both Austin Turf and Tractor and Professional Turf Products who sell golf course equipment and requested quotes for the replacement of equipment to maintain the grounds at the Golf Course. Staff compared the pricing, equipment, and servicing from both companies. Both vendors are members of the BuyBoard and both gave reasonable pricing to the City. Toro’s is providing a five (5) year warranty to cover the equipment for the life of the lease, Austin Turf and Tractor offered four (4) years warranty or 2,500 hours whichever came first. The equipment used at the golf course operates at total of 625 hours. The lease purchase agreement includes twelve pieces of equipment for five (5) annual payments of $58,847.58. The current equipment will be replaced and auction in the next year’s auction. The Golf Advisory Board reviewed the agreement and recommends TORO’S products.

Mr. Serna stated the agreement is still pending legal review.

Motion was made by Commissioner Leal and seconded by Commissioner De la Rosa to approve the purchase of 12 pieces of golf course maintenance equipment using the BuyBoard Purchasing Program in lieu of bidding or RFP’s and approve the municipal lease purchase agreement with TCF National Bank for a term of five (5) years and authorize the City Manager to sign the agreement subject to the legal department reviewing the documents. Motion carried unanimously.

19) Board Appointments

Commissioner Puente – appointed Javier De Leon to the Museum Advisory Board
Mayor Boswell – appointed Dr. Michael Banderas to the Harlingen Wellness Committee

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner De La Rosa to approve the appointment of Javier De Leon to the Museum Advisory Board by Commissioner Puente and the appointment of Dr. Michael Banderas to the Harlingen Wellness Committee by Mayor Boswell. Motion carried unanimously.

20) Executive/Closed Session on the following items:

a. pursuant to Section 551.071(2) and 551.072 of the Texas Government Code to obtain legal advice on and discuss the exchange and value of real property regarding the implementation of Project Dream.

b. attorney consultation pursuant to Texas Government Code Section 551.071(2) for legal advice regarding possible changes to the City of Harlingen TCG 401(a) Retirement Plan. (Requested by Commissioner Ruben De La Rosa and Commissioner Richard Uribe)

At 6:40 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item 20 (a & b).

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to convene into executive session to discuss Item No. 20 (a & b). Motion carried unanimously.

At 7:36 p.m., Mayor Boswell announced the City Commission had completed its executive session and declared the meeting open to the public.

21) Consideration and possible action regarding Item No. 20 (a) as discussed in executive session.

Mayor Boswell stated there will be no action on Item 21.
22) Consideration and possible action regarding changes to the City of Harlingen TCG 401(a) Retirement Plan. (Requested by Commissioner Ruben De La Rosa and Commissioner Richard Uribe).

Motion was made by Commissioner Uribe to allow the changes as discussed in the executive session. Allison Bastian asked Commissioner Uribe to articulate on his motion and be more specific.

Commissioner Uribe asked Mr. Serna to assist him on this so there wouldn't be any confusion. Mr. Serna stated this is to allow any service distributions to staff of age 59½ as allowed by federal law.

Motion was made by Commissioner Uribe and seconded by Commissioner Puente to allow in service distributions at 59½ as allowed by federal law.

Mayor Pro-Tem Mezmar stated this is the wrong thing to do, this is the mini-max principle, this is where people mortgage their future for the present and this will create poverty at retirement age. It's not prudent there's no wisdom in this and the mini-max principle is the minimum amount of effort for the maximum amount of pleasure.

Commissioner Puente stated this is also an opportunity for employees to follow their dreams, it does not necessarily mean they are going into poverty. It will probably actually help them and keep employees at work longer. I see it as an incentive.

Commissioner Leal stated that as a gentleman who is now 65 retirement age ready to draw Social Security. If it wasn't for the wisdom of other companies that my wife and I have worked for and not allowed us to remove that money I would not ever be able to fully retire. If the money is taken at an earlier age, there are penalties and taxes imposed and at 59½ there are no penalties.

Mayor Pro-Tem Mezmar stated this change can increase someone tax rate from 21 to 37%. This is the problem that I incur daily when dealing with people investments. They use their money to buy pickup trucks, go on vacations, or use it wisely. Most people are foolish with their money. This is a nation which operates its economy on debt not on wealth.

Mayor Boswell asked if there was any other discussion, there being none, he entertained a vote.

Motion carried as follows: FOR: Commissioners: Uribe, Puente and De La Rosa. AGAINST: Mayor Pro-Tem Mezmar and Commissioner Leal. (Vote 3-2).

Adjournment

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. 20-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT TO LARRY KEIM DBA ORPHEUS PARTNERS, LLC TO ALLOW A BAR/LOUNGE IN A GENERAL RETAIL (GR) DISTRICT FOR LOTS 13 AND 14, BLOCK 45, HARLINGEN ORIGINAL TOWNSITE LOCATED AT 204 W. JACKSON AVENUE, SUBJECT TO: (1) THE SPECIAL USE PERMIT WILL BE LIMITED TO ONE YEAR, AND THE APPLICANT WOULD BE REQUIRED TO APPLY FOR RENEWAL; (2) PROVISION OF A SECURITY OFFICER DURING PEAK HOURS OF OPERATION (THURSDAY – SATURDAY FROM 9PM TO 12 MIDNIGHT); (2) PROVISION OF VIDEO SURVEILLANCE WITH 30 DAY RETENTION PERIOD; (3) PROVISION OF ADEQUATE LIGHTING INSIDE AND OUTSIDE THE BUSINESS; (4) OBTAIN AND MAINTAIN PROPER STATE PERMITS; (5) COMPLIANCE WITH CODE OF ORDINANCES CHAPTER 22, ARTICLE 3, SECTIONS 22-54 TO 22-66 SMOKING REGULATIONS; AND (6) COMPLIANCE WITH THE REQUIREMENTS ADMINISTERED BY THE PLANNING & DEVELOPMENT DEPARTMENT, BUILDING INSPECTIONS DEPARTMENT, ENVIRONMENTAL HEALTH DEPARTMENT, FIRE PREVENTION BUREAU, AND POLICE DEPARTMENT.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being issued a special use permit as indicated:

To Issue a Special Use Permit to Larry Keim dba Orpheus Partners LLC to allow a Bar/Lounge in a General Retail (GR) District for Lots 13 and 14, Block 45, Harlingen Original Townsite located at 204 W. Jackson Avenue, subject to: (1) The Special Use Permit would be limited to one year, and the applicant would be required to apply renewal; (2) Provision of security officers during peak hours of operation (Thursday – Saturday from 9pm to 12
Midnight); (3) Provision of video surveillance with 30 day retention period; (4) Provision of adequate lighting inside and outside the business; (5) Obtain and maintain proper state permits; (6) Compliance with Code of Ordinance Chapter 22, Article 3, Sections 22-54 to 22-66 Smoking Regulations; and (7) Compliance with the requirements administered by the Planning & Development Department, Building Inspections Department, Environmental Health, Fire Prevention Bureau, and Police Department.

The provisions prohibiting the violation of the Zoning Ordinance shall continue in full force and effect and apply to this amendment.

The special use permit is made contingent upon a site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as EXHIBIT “A”.

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 ____________, 2020, 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
EXHIBIT "A"

Jackson Street

Side Walk (South Side of Bldg)

Entry

Existing Site of Carillo's Wine House

Entry

Side Walk (East Side of Bldg)

Restrooms

Corridor/Stairway

PATIO

Concrete Block Bldg

Alley

Key

Building Footprint

Wrought Iron Fence

Points of Access

Metal Privacy Fence

Mats surfacing area (Light Gray)

Rear section of building not accessible from the wine bar.
(Not a part of the wine bar lease)
ORDINANCE NO. 20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: AMENDING THE PLANNED DEVELOPMENT (PD) SITE PLAN TO ADJUST SETBACKS FOR A 15.18 ACRE TRACT OF LAND OUT OF BLOCK 95, LON C. HILL SUBDIVISION LOCATED ON THE WEST SIDE OF ED CAREY DRIVE SOUTH OF MORRIS 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: Amending the Planned Development ("PD") Site Plan to adjust setbacks for a 15.18 acre tract of land out of Block 95, Lon C. Hill Subdivision, located on the west side of Ed Carey Drive south of Morris 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 amendment is made contingent upon construction and sitting complying with and being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibits "A" and "B".

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 ___________ 2020 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
Exhibit "A"

OAK ESTATES SUBDIVISION

Site Plan to include Patio Homes, and Single Family homes. Highlighted lots on the site plan are designated for Patio Homes. All other lots will be single family homes.

Set backs on the Patio Homes are to be THE CITY OF HARLINGEN standard setback of:
- 20' front set back
- 5' side set back
- 10' rear set back
(attachment sheet highlighted in yellow as follows)

BLOCK 2 lots 1 - 12 will have - 5' set back on the sides and 10' set back in the rear, and 20' set back on the front. (Block 2 lots 1 - 6 front of lots face ARTEMIS DRIVE)
   (Block 2 lots 7 - 12 front of lots face AISHA DRIVE)

BLOCK 3 lots 1 - 12 will have - 5' set back on the sides and 10' set back in the rear, and 20' set back in the front. (Block 3 lots 1 - 6 front of lots face AISHA DRIVE)
   (Block 3 lots 7 - 12 front of lots face ALIYA DRIVE)

BLOCK 4 lots 1 - 12 will have - 5' set back on the sides and 10' set back in the rear, and 20' set back in the front. (Block 4 lots 1 - 6 front of lots face ALIYA DRIVE)
   (Block 4 lots 7 - 12 front of lots face ATHENA DRIVE)

Block 1 and Block 5 are single family homes with a set back of:
- 20' set back in the front and 10' set back in the rear and 5' set back on the sides.
Exhibit "B"

Oak Estates Subdivision
Re-Zone Planned Development

MORRIS ROAD

ARTEMIS DRIVE

ALIYA DRIVE

ATHENA DRIVE

Blocks 2, 3, and 4
20' Setback Front
5' Setback Sides
10' Setback Rear

20' Setback Front
5' Setback Sides
10' Setback Rear
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **February 19, 2020**

### Agenda Item:
Consider and take action to approve a request from the South Texas Emergency Care (STEC) and the City of Harlingen, Texas for street closures for the Save-A-Life event on Saturday, February 22, 2020 from 8:00 a.m. to 12:00 p.m.

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

### Brief Summary:
South Texas Emergency Care (STEC) and City of Harlingen are requesting to close the 200 block of East Madison for the Save-A-Life event scheduled on Saturday, February 22, 2020 from 8:00 a.m. to 12:00 p.m.

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

### Funding (if applicable):
Are funds specifically designated in the current budget for the full amount for this purpose?
- Yes
- No*

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

Finance Director’s approval:
- Yes
- No
- N/A

### Staff Recommendation:
Staff recommends approval.

For Street Closures ONLY, Fire Chief’s approval:
- X Yes
- No
- N/A

City Manager’s approval:
- Yes
- No
- N/A

### Comments:

City Attorney’s approval:
- Yes
- No
- N/A

form revised 01/26/09
TO: Chief of Police
FROM: District Representative
DATE: February 4, 2020

RE: Street Closure Request

REQUESTOR: Emily Dominguez (STEC), Harlingen, TX 78550.

EVENT NAME: Save-A-Life Event

DATE: February 22, 2020

TIME: 8:00am – 12:00pm

LOCATION: 200 Block of East Madison

DESCRIPTION: The Event Being held at the Harlingen Community Center. They are requesting the closure to have booths, Dj, and provide information to attendees.

COMMENTS/NOTES: Event to be held will be in the morning and is co-sponsored by the City of Harlingen.

RECOMMENDATION: I am recommending approval. Attached is the original request and a copy of the map for street closure.

Recommend approval.  

SIGNATURE | DATE
--- | ---
OFFICER/EMPLOYEE | 2-4-2020
SERGEANT/SUPERVISOR | 2-4-2020
COMMANDER/MANAGER | 2-4-2020
DEPUTY CHIEF | 2-4-2020
ASSISTANT CHIEF | 2-5-2020
CHIEF OF POLICE |
HFD has no issues with these closures.

Thanks,

Eduardo Alvarez  
Assistant Fire Chief  
Harlingen Fire Department  
24200 N. FM 509  
Harlingen, TX 78550  
956-897-1131

Good Morning Asst. Fire Chief Alvarez:

I would ask if you could please review the attached street closure request and provide your recommendation at your earliest convenience so that I can include as an agenda item at the next City Commission meeting.

Thank you for your assistance in this matter!

Frances Peña, Executive Admin. Assistant  
Office of the Chief of Police Michael Kester  
HARLINGEN POLICE DEPT.  
1018 Fair Park Blvd., Harlingen, TX 78550  
(956) 216-5403 office / (956) 216-5407 fax  
email: francespena2@harlingenpolice.com

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AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: March 4, 2020

Agenda Item:
Consider and take action to approve a request from Our Lady of Assumption Catholic Church to close the 1300 Block of West Lincoln Avenue in between South “L” Street and South “M” Street and all alleyways leading to West Lincoln Avenue from 5:00 p.m. to 11:00 p.m. on Friday, April 24, 2020 and Saturday, April 25, 2020 for their Annual Parish Kermes.

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

Brief Summary:
Rev. Fr. Ruben Delgado, Pastor for Our Lady of Assumption Church is requesting the closure of the 1300 Block of West Lincoln Avenue in between South “L” Street and South “M” Street and all alleyways leading to West Lincoln Avenue from 5:00 p.m. to 11:00 p.m. on Friday, April 24, 2020 and Saturday, April 25, 2020 for Our Lady of Assumption Catholic Church Annual Parish Kermes. The street closures will help to ensure the safety of the visitors attending this event.

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

Funding (if applicable):
Are funds specifically designated in the current budget for the full amount for this purpose? Yes No*
*If no, specify source of funding and amount requested: N/A

Finance Director’s approval: Yes No N/A

Staff Recommendation:
Staff recommends approval.

For Street Closures ONLY, Fire Chief’s approval: Yes No N/A

City Manager’s approval: Yes No N/A

Comments:

City Attorney’s approval: Yes No N/A

form revised 01/26/09
TO: Chief of Police

FROM: Hector Villegas # 4211

RE: Street Closure Request

Requestor: Our Lady of Assumption c/o Fr. Ruben Delgado

Date: Friday, April 24, 2020 and Saturday, April 25, 2020

Time: 5:00 – 11:00 pm

Location: 1313 W. Buchanan Ave., Harlingen TX 78550

Description: Our Lady of Assumption Church is having their Annual Parish Kermes and requesting a street closure for the safety of the public in attendance. In previous years they have hosted approximately 3,000 people to this event with 35 booths that will include Games, Food and carnival rides.

Comments: They are requesting to close down:
Lincoln Ave. in between S. L. St. and S. M St. and all alleyways leading into W. Lincoln Ave.

Recommendation: I am recommending for the street closure to be granted and barricades be provided by the Street Department on the day specified by the request. A copy of the request and map will turned in with the IDC.

Recommend approval. C Feeney

OFFICER / EMPLOYEE Hector Villegas # 4211 02/10/2020

SERGEANT / SUPERVISOR 2/10/20

COMMANDER / MANAGER 2/10/20

DEPUTY CHIEF 2/10/20

ASSISTANT CHIEF 2/10/20

CHIEF OF POLICE 2/10/20
February 10, 2020

Mr. Michael Kester, Harlingen Chief of Police
City Manager, Mayor
& City Commissioners
City of Harlingen
1018 Fairpark Blvd.
Harlingen, TX 78550

Ref: Street Closing for our Parish Kermes from 5p.m. to 11:00 p.m. both days.

Dear Chief Kester:

Greetings!

I am Fr. Ruben Delgado, Pastor at Our Lady of the Assumption Catholic Church.

I continuing to know the City of Harlingen and surrounding areas, along with the different events that our parish celebrates. Therefore, on April 24th and April 25th, 2020 Our Lady of Assumption Church will be having our annual Spring Kermes.

On behalf of our parish community, we request the following permission:

Permission from you and your department in closing of the Street at the 1300 block of West Lincoln Street.

We are requesting this item to be included on the agenda for the next City Commission meeting.

Approval of this request will help prevent any accidents to the children/community attending the Kermes.

We thank you and the City Commission for the support and commitment you have provided in the past years for this event and look forward to your continued support and await for your response.

Sincerely,

Rev. Fr. Ruben Delgado, Pastor
Pena, Frances

From: Pena, Frances  
Sent: Monday, February 10, 2020 1:29 PM  
To: Rubio, Roy; Alvarez, Eduardo; Henderson, Donna; Robles, Lile  
Subject: STREET CLOSURE REQUEST - OUR LADY OF ASSUMPTION CHURCH

Good Afternoon Asst. Fire Chief Alvarez:

I would ask if you could please review the attached street closure request and provide your recommendation at your earliest convenience so that I can include as an agenda item at the next City Commission meeting.

Thank you for your assistance in this matter!

Frances Peña, Executive Admin. Assistant  
Office of the Chief of Police Michael Kester  
HARLINGEN POLICE DEPT.  
1018 Fair Park Blvd., Harlingen, TX 78550  
(956) 216-5403 office / (956) 216-5407 fax  
email: francespena2@harlingenpolice.com

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AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: 02/19/2020

Agenda Item:
Consideration and possible action to approve a refund of property taxes paid by Norris Travis James on account #98-6538-0020-0010-00.

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

Brief Summary:
This refund request in the amount of $931.07 for account #98-6538-0020-0010-00 is due to a prorated 100% disabled veteran’s exemption for year “2018”

Total amount of refund requested is $931.07

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?  

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

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

Staff Recommendation:
Staff recommends approval of refund.

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

Comments:

City Attorney’s approval: [X] Yes [ ] No [ ] N/A

[2/13/20]
TO: Elvia Trevino  
City of Harlingen  
Harlingen, Texas 78550  
FROM: Aurora Lozano  
TAX OFFICE  
Harlingen, Texas 78550  
DATE: January 10, 2020  
RE: Account #98-6538-0020-0010-00, Norris Travis James

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 prorated 100% disabled veteran’s exemption for year “2018”.

Therefore the amount of $931.07 to be refunded to:

Norris Travis James  
8826 Albatross Street  
Harlingen, Texas 78552

Should you have any questions regarding this matter, please contact me at (956)428-7999.
### Current Property Data as of Supp 40

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### Previous Property Data as of Supp: 0

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### Change Desc:

7/18/18KW PRORATED ON DVHS AS OF 12/1/18 FOR 2018 FOR TRAVIS JAMES NORRIS (DIVORCED) WHO APPLIED ON 7/1/18 AND HAS LIVED THERE SINCE 4/2014. EX-WIFE/PROVIDER ALSO OWNS PID 169107 - NO EXEMPTIONS. RATING IS 70%, EFFECTIVE DATE 12/1/18, TOTALLY & PERMANENTLY DISABLED, BEING PAID AT 100% DUE TO UNEMPLOYABILITY.

### Gain or Loss of Value:

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**AGENDA ITEM**
**EXECUTIVE SUMMARY**

**Meeting Date:** February 19, 2020

**Agenda Item:**
Investment Report for the City of Harlingen for the quarters ending September 30, 2019 and December 31, 2019, as presented by the Finance Director.

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

**Brief Summary:**
The investment Report shows the total amount of cash and investment transactions in summary and detail for all City Funds. The report includes types of investments, interest rates, maturity dates and portfolio composition.

**Highlights:**
- **$46,772,909.48** Total Book Value ending 9/30/2019  
  - $275,931.81 Interest earned during 4th Quarter FY 2019.  
  - 2.109% Weighted Average  
    - 96% Cash & Investments maturing within 0-3 months  
    - 4% Investments maturing within 6-12 months

- **$51,237,863.56** Total Book Value ending 12/31/2019  
  - $209,428 Interest earned during 1st Quarter 2020.  
  - 1.558% Weighted Average  
    - 96% Cash & Investments maturing within 0-3 months  
    - 4% Investments maturing within 6-12 months

The graphical summary on the City’s portfolio is displayed on pages 4 & 5. The City of Harlingen manages and invests funds with three objectives, listed in order of priority: Preservation and Safety of Principal, Liquidity, and Yield. All investments comply with the Public Funds Investment Act (PFIA).

**Funding (if applicable):**

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

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

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

**Staff Recommendation:**

Staff recommends approval.

**City Manager’s approval:**

Comments:  ☑ Yes  ☐ No  ☐ N/A

**City Attorney’s approval:**

[Signature]  
2/13/20
AGENDA ITEM  
EXECUTIVE SUMMARY

Meeting Date: February 19, 2020

<table>
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<tr>
<th>Agenda Item:</th>
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<tbody>
<tr>
<td>Public hearing and take action to consider an Ordinance on First Reading to amend the City of Harlingen Comprehensive Plan, One Vision One Harlingen Thoroughfare Plan, by changing the alignment of the proposed extension of Golden Bear Drive in a straight alignment until it connects with Haine Drive. Applicant: Armando Elizarde</td>
</tr>
</tbody>
</table>

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

Brief Summary:

Project Timeline

- **January 21, 2020** – Application for Comprehensive Plan amendment submitted to the City. *(ATTACHMENT 1).*
- **January 22, 2018** – In accordance with Statute and local law, notice of required public hearings published in the Valley Morning Star.
- **February 12, 2020** – Public hearing was conducted by the Planning and Zoning Commission (P&Z). *The P&Z Commission recommended approval of the amendment by a 3 to 0 vote.*
- **February 19, 2020** – Public hearing and consideration of requested comprehensive plan amendment via 1st ordinance reading scheduled before the City Commission.
- **March 4, 2020** – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The Thoroughfare Plan is a component of the Comprehensive Plan and outlines the City Commission’s adopted policy relative to the development of the City roadway network. Compliance of the Thoroughfare Plan is required during the processing of a new subdivision.

- The applicant is requesting that the Thoroughfare Plan be amended by changing the alignment of the proposed extension of Golden Bear Drive to a straight alignment until it connects with Haine Drive. The applicant is proposing a Planned Development consisting of residential and multi-family use in the 40-acre tract of land highlighted in the packet. The applicant feels the current proposed alignment of Golden Bear Drive curving to directly connect to VFW Whalen Road makes it difficult to develop the subject property *(ATTACHMENT I-II).*

- The Thoroughfare Plan currently designates Golden Bear Drive as a major collector street, which requires 80 feet of right-of-way, and a 42 to 48 ft. wide street with curb and gutter. From Treasure Hills Boulevard to Bryan Drive, Golden Bear Drive is developed with 80 ft. right-of-way and a 48 ft. wide paved street with curb and gutter. Golden Bear Drive
dead ends approximately 187 feet south of Bryan Drive, and is proposed to extend in a western angle to connect to Haine Drive and align with Whalen Road. (ATTACHMENT II AND III).

- The subject property which the applicant is proposing to develop and includes the extension of Golden Bear Drive is currently vacant. The property consists of 40 acres, and has 1,319 feet of frontage on Haine Drive and a depth of 1,319 (ATTACHMENT III).

- The request was reviewed by the Engineering Department and Fire Prevention Department. The Engineering Department and Fire Prevention Department are recommending approval of the request (ATTACHMENT IV AND V).

- To the present, staff has not received any objections from the surrounding property owners in reference to the requested amendment.

### Funding (if applicable):

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

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

Finance Director’s approval:

### Staff Recommendation:

Staff recommends approval of the request to change the alignment of the Golden Bear Drive as:

1. The proposed alignment of a straight extension makes the road and property more feasible to develop and provides for the proper traffic circulation between the Treasure Hills area and East Haine Drive; and

2. There is no physical obstructions to still continue the proposed roadway within the requested new alignment; and

3. The Engineering Department and Fire Prevention Department are recommending approval of the request.

### City Manager’s approval:

### Comments:

City Attorney’s approval:

*2/13/20*
CITY OF HARLINGEN PLANNING AND ZONING DIVISION
MASTER APPLICATION

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

- **Project Address:** HAINES DRIVE
- **Nearest Intersection:** WALEN & HAINES DR.
- **(Proposed) Subdivision Name:** Lot 9, 10, 115, Block 140
- **Existing Zoning Designation:**
- **Future Land Use Plan Designation:**

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

- **Applicant/Authorized Agent:** Armando Elizardo
  - **Phone:** 793-0925
  - **Fax:**
- **Email Address (for project correspondence only):**
- **Mailing Address:** P.O. BOX 2934
  - **City:** HGN
  - **State:** TX
  - **Zip:** 78551
- **Property Owner:** DOAK BUNKIN
  - **Phone:**
  - **Fax:**
- **Email Address (for project correspondence only):**
  - **Mailing Address:** 323 E. JACKSON
  - **City:** HGN
  - **State:** TX
  - **Zip:** 78550

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

- **Annexation Request**
  - **No Fee**
- **Administrative Appeal (ZBA)**
  - **$125.00**
- **Comp. Plan Amendment Request**
  - **$250.00**
- **Re-zoning Request**
  - **$250.00**
- **SUP Request/Renewal**
  - **$250.00**
- **Zoning Variance Request (ZBA)**
  - **$250.00**
- **PDD Request**
  - **$250.00**
- **License to Encroach**
  - **$250.00**
- **Preliminary Plat**
  - **$100.00**
- **Final Plat**
  - **$50.00**
- **Minor Plat**
  - **$100.00**
- **Re-plat**
  - **$250.00**
- **Vacating Plat**
  - **$50.00**
- **Development Plat**
  - **$100.00**
- **Subdivision Variance Request**
  - **$25.00 (each)**

Please provide a basic description of the proposed project: **BUILD NEW SUBDIVISION**

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

- **Applicant's Signature:**
- **Date:** 1/21/20

- **Property Owner(s) Signature:**
- **Date:**

- **Accepted by:**
- **Date:**

---

3
January 30, 2020

TO: City of Harlingen

REF: Lots 9, 10, 15, 16 Block 146 San Benito Land and Water Company 
Subdivision, Harlingen, Cameron County

As owners of the above referenced property, we are in agreement with rerouting the proposed road, which angles through this property, straight from Golden Bear Drive to Haine Drive.

[Signature]

Doak M. Dunkin Trustee
Request to amend the City of Harlingen Comprehensive Plan One Vision One Harlingen Thoroughfare Plan, by changing the alignment of the proposed extension of Golden Bear Drive. Applicant: Armando Elizarde
RE: AMENDMENT OF THE THOROUGHFARE PLAN - EXTENSION OF GOLDEN BEAR DRIVE

Dear Mr. Olivo,

On January 23, 2020 the Engineering Department received a request to review a proposed amendment to the Thoroughfare plan pertaining to the alignment of Golden Bear Drive between Treasure Hills Boulevard and Haine Drive. This request is spurred by a proposed development of the property (CCAD #190225) intersecting the current dead end of Golden Bear Drive. The applicant has proposed straightening this section of Golden Bear Drive to intersect Haine Drive perpendicularly with the current alignment.

Per previous discussion with the applicant on January 7, 2020, additional access points for the proposed subdivision shall require a minimum spacing between edge of pavements of existing or proposed streets of 200-feet as recommended by the Texas Department of Transportation Access Management Manual. As a result of this meeting, the applicant agreed to produce a schematic of the overall proposed subdivision design for roadway access points. This point was re-affirmed at a subsequent meeting with the applicant on January 29, 2020. To date, this document has not yet been received.

In general, the engineering department does not object to this realignment considering the following:

- A determination of the reasoning behind the original Thoroughfare Plan alignment of Golden Bear Drive intersecting with Whalen Road has not be made by our department.

- A comprehensive or master plan of the subdivision or overall placement of proposed access points has not been provided by the applicant. The placement of Golden Bear Drive through the proposed subdivision will have implications of the placement for proposed access points on Haine Drive, this should be considered in the planning phase.
Thoroughfare Plan Re-Alignment Review

Golden Bear Drive

- A Traffic Impact Analysis Report will be recommended for the overall impacts that the subdivision will have on the traveling public in the area.

If you have any questions, please feel free to contact me at (956) 216-5223 or via email at avigstol@myharlingen.us.

Sincerely,

Andy Vigstol, PE, SIT

Andy Vigstol, PE, SIT
Thoroughfare Plan Routing Slip

| Applicant: | Armando Elizarde |
| Phone No.: | 956-793-0925 |
| Location: | Golden Bear Dr |
| Project Description: | Request to amend the Thoroughfare Plan by changing the alignment of the proposed extension of Golden Bear Dr. |
| Department: | Fire Prevention Bureau |
| Approval: | X YES ___YES WITH COMMENTS ___ NO |
| Comments: | No Comment |

Fire Marshal Juan Sauceda Jr.

Date: February 6, 2020
ORDINANCE NO. 20---

AN ORDINANCE OF THE CITY OF HARLINGEN
COMPREHENSIVE PLAN ONE VISION ONE HARLINGEN,
CHAPTER 2, FIGURE 2.1 THOROUGHFARE PLAN, BY
AMENDING THE ALIGNMENT OF THE PROPOSED
EXTENSION OF GOLDEN BEAR DRIVE IN A STRAIGHT
ALIGNMENT UNTIL IT CONNECTS WITH HAINE DRIVE;
PROVIDING FOR PUBLICATION AND ORDAINING OTHER
MATTERS RELATED TO THE FOREGOING

BE IT ORDAINED BY THE CITY OF HARLINGEN

SECTION I: The City of Harlingen Comprehensive Plan One Vision One Harlingen,
Chapter 2, Figure 2.1 Thoroughfare Plan is hereby amended by changing the alignment of the
proposed extension of Golden Bear Drive in a straight alignment until it connects with Haine Drive.

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

FINALLY ENACTED this ______ day of ___________, 2020, 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 Elizondo, City Secretary
Request to amend the City of Harlingen Comprehensive Plan One Vision One Harlingen Thoroughfare Plan, by changing the alignment of the proposed extension of Golden Bear Drive. Applicant: Armando Elizarde
Public hearing and take action to consider an Ordinance on First Reading to amend the City of Harlingen Comprehensive Plan, One Vision One Harlingen Thoroughfare Plan, by changing the alignment of the proposed extension of Golden Bear Drive in a straight alignment until it connects with Haine Drive.
Applicant: Armando Elizarde

Mr. Joel Olivo summarized the following:

- The Thoroughfare Plan is a component of the Comprehensive Plan and outlines the City Commission’s adopted policy relative to the development of the City roadway network. Compliance of the Thoroughfare Plan is required during the processing of a new subdivision.

- The applicant is requesting that the Thoroughfare Plan be amended by changing the alignment of the proposed extension of Golden Bear Drive to a straight alignment until it connects with Haine Drive. The applicant is proposing a Planned Development consisting of residential and multi-family use in the 40-acre tract of land highlighted in the packet. The applicant feels the current proposed alignment of Golden Bear Drive curving to directly connect to VFW_Whalen Road makes it difficult to develop the subject property.

- The Thoroughfare Plan currently designates Golden Bear Drive as a major collector street, which requires 80 feet of right-of-way, and a 42 to 48 ft. wide street with curb and gutter. From Treasure Hills Boulevard to Bryan Drive, Golden Bear Drive is developed with 80 ft. right-of-way and a 48 ft. wide paved street with curb and gutter. Golden Bear Drive dead ends approximately 187 feet south of Bryan Drive, and is proposed to extend in a western angle to connect to Haine Drive and align with Whalen Road.

- The subject property which the applicant is proposing to develop and includes the extension of Golden Bear Drive is currently vacant. The property consists of 40 acres, and has 1,319 feet of frontage on Haine Drive and a depth of 1,319.

- The request was reviewed by the Engineering Department and Fire Prevention Department. The Engineering Department and Fire Prevention Department are recommending approval of the request.

- To the present, staff has not received any objections from the surrounding property owners in reference to the requested amendment.

Staff recommends approval of the request to change the alignment of the Golden Bear Drive as:

1. The proposed alignment of a straight extension makes the road and property more feasible to develop and provides for the proper traffic circulation between the Treasure Hills area and East Haine Drive; and

2. There is no physical obstructions to still continue the proposed roadway within the requested new alignment; and

3. The Engineering Department and Fire Prevention Department are recommending approval of the request.
Chr. Peacock asked the Board if there were any questions for staff, there was none.

Chr. Peacock opened the public hearing, there was none.

Cmr. Wolf made a motion to approve the request, Cmr. Martinez seconded. Upon a unanimous vote the motion carried.
**AGENDA ITEM**
**EXECUTIVE SUMMARY**

**Meeting Date:** FEBRUARY 19, 2020

**Agenda Item:**
Public hearing and take action to consider an Ordinance on First Reading request to rezone from Single Family Residential ("R1") District to Multi-Family Residential ("M2") District for Lot 1, Block 3, Shadowbrook Subdivision, located on the south side of E. Davis Street, East of N. 3rd Street. Applicant: Buddy Moody

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

**Brief Summary:**

**Project Timeline**
- December 20, 2019 – Application for rezoning submitted (ATTACHMENT I).
- February 1, 2020 – In accordance with Statute and local law, notice of required public hearings published in the Valley Morning Star and mailed to all property owners within 200 feet of subject tract.
- February 12, 2020 – Public hearing was conducted by the Planning and Zoning Commission (P&Z). The P&Z Commission recommended disapproval of the rezoning request to Multi-Family Residential ("M2") and alternatively recommended approval of the rezoning request to a 3/4-Plex Residential ("M1") by a 3 to 0 vote.
- February 19, 2020 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- March 4, 2020 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

**Summary**
- The owner would like to rezone this property from single family residential to multi-family residential to allow for a multi-family construction. The applicant is considering a fourplex and two duplexes within the property for a total of 8 units.
- The subject property is an irregular-shaped lot and is currently vacant. It has 470.5' of frontage on Davis Street and has a depth of 93.82' at its widest point. The property has about 0.733 gross acres (31,929 sq ft) and 0.59 net acres (25,700 sq ft). A drainage ditch wraps around the perimeter of the property on the south and west sides (ATTACHMENT III).
- The property owner submitted the same rezoning request in the year 2017. After considerable opposition from the surrounding property owners, the request was denied by the Planning and Zoning Commission on June 14, 2017.
- The surrounding properties are zoned Planned Development ("PD") District to the north, Residential, Multi-Family (M-2) to the East, and Single Family (R-1) to the west and south. Surrounding land uses consist of single family dwellings and townhouses to the north, apartments to the east, and single family dwellings to the
• The Future Land Use Plan component of the City of Harlingen Comprehensive Plan - One Vision, One Harlingen shows this area as low density residential. The rezoning request is not consistent with the low-density residential designated in the Future Land Use Plan and is not consistent with the surrounding land uses to the north, south and west (ATTACHMENT IV).

• To the present, the Planning and Development Department has received one email in objection from the surrounding property owners for the requested rezoning. The concern was in regards to the existing drainage issues in the neighborhood and possible issues with new development on the subject property. The property owner has submitted a petition with an estimated 32% of the area of the notified property owners.

• As an alternative, the Planning and Zoning Commission may approve a Duplex Residential ("R2") District, which is an area for development of a duplex on lots no smaller than 6,000 square feet.

• As an alternative, the Planning and Zoning Commission may approve a 3/4-Plex Residential ("M1") District, which is an area for development of multifamily units of four or less.

### Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose?  
*If no, specify source of funding and amount requested:

Finance Director’s approval:  

Staff Recommendation:

Staff recommends disapproval of the rezoning request to Multi-Family Residential ("M2").

City Manager's approval:  

City Attorney’s approval:  

Comments:  

2/13/20
#### PROPERTY INFORMATION:

<table>
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<tr>
<th>Project Address</th>
<th>Lot</th>
<th>Block</th>
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<td>13th &amp; Davis Ave</td>
<td>Corner(s)</td>
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</tbody>
</table>

- **(Proposed) Subdivision Name:** Shadetree Park
- **Lot:** #2  
- **Block:** #1

#### Master Application

**Existing Zoning Designation:** Res. Single-Family  
**Future Land Use Plan Designation:** Multi-Family

**Duplexes:** Apartments

### Owner/Applicant Information:

- **Applicant/Authorized Agent:** Brad Moody  
  - **Email Address:** bmoody@buck72@gmail.com
  
- **Mailing Address:** 1105 Waverly Ave, Harlingen, TX 78550
- **Property Owner:** Josh Moody
  - **Email Address:** jmoody155r@gmail.com

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

<table>
<thead>
<tr>
<th>Process</th>
<th>Fee</th>
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<tbody>
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<td>Annexation Request</td>
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<td>Subdivision Variance Request</td>
<td>$25.00 (each)</td>
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</table>

**Please provide a basic description of the proposed project:** Preliminary site plan map of property & site plan detailing design attached.

---

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:** Brad Moody  
  - **Date:** 12-20-2019

- **Property Owner(s) Signature:** Josh Moody  
  - **Date:** 12-20-2019
Attachment I—Application

RE-ZONING REQUEST
SUBMITTAL CHECKLIST

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

Complete
✓ A metes and bounds description or survey plat of the tract(s) in which the re-zoning is requested,
✓ 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:
  - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
  - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a re-zoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner: Josh Moody
Owner Address: 600 Tallworth Lane
Phone/Fax: 972-997-2899 Fax 682-219-1845
Signature: Josh Moody

Planning & Zoning
Rm 0180515
Phone: 956-214-5101

Date 12-20-2019
0.59 Net Acres
Request to rezone from Single Family Residential ("R1") District to Multi-Family Residential ("M2") District for Lot 1, Block 3, Shadowbrook Subdivision, located on the south side of E Davis St, east of N 3rd Street. Applicant: Buddy Moody

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 1.26.20
Attachment III—Site Photos

View from the West of Property

3rd Street and Davis Street, facing east

3rd Street and Davis Street, facing south
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 092816.
PETITION AGAINST REZONING HOMES

Target: Flynn Ave and Davis Ave properties

On June 14, 2017, Applicant Joshua Moody, resident of McKinney, Texas, submitted a request to the Harlingen Planning and Zoning Commission to rezone a lot on East Davis with the intent to build a multifamily home(s), duplex, or apartments in this area. At that time, the Commission agreed to deny the rezoning for a multi-family residence.

We are returning to the Planning and Zoning Commission as Mr. Joshua's Moody's father, Mr. Buddy Moody, is requesting the same rezoning. We respectfully request that the commission continue to deny this rezoning for the lot on East Davis.

Mr. Buddy Moody is requesting a Zoning Change for properties on Davis Ave, changing it from R1 (Single Family Residential) to M2 (Multi-Family Residential) in order to build a multi-family residence/residencies.

It is not clear in the notification letter the total number of units or the size of the proposed building that will be developed but it is clear that the rezoning variance allowing for this construction is for the sole benefit of the Moody family.

- The proposed site is adjacent to a canal which will be impacted by the debris that tenants of this type of property are likely to produce. This canal helps to ensure that the properties in the North Harlingen area are not flooded. With the creation of the property, the overflow of the canal is likely to flood the existing properties as the drainage will be impacted and will likely impact everyone that is adjacent to the canal. This property extends from Business 77 beyond Loop 499. It will not impact just those that were notified.
- The rezoning will cause unwarranted changes to the property taxes of current residents and those whose property neighbors the homes that are targeted for rezoning. Only homes on the north side of Flynn were contacted concerning the reclassification, while Residents that will be affected by the rezoning and subsequent building(s) that will be built on the property are not being notified.
- The property value of the homes in adjacent area will also be impacted. There could be a significant decrease in the value of the homes with the proposed rezoning.
- The proposed property is within 300 feet of a seniors and assisted care facility and the resultant traffic issues will lead to compromises in safety for this population.

We the undersigned strongly oppose the re-zoning as well as the entire development plan and urge the City of Harlingen's Planning and Zoning Commission to oppose the proposal to change the zoning to permit construction of multi-family housing. We also respectfully request that a thorough review be made to block any building be done in this tract of land as it is a potential issue for all along the canal affected by the building on this property.

February 2020
# PETITION AGAINST REZONING HOMES

**Target:** Flynn Ave and Davis Ave properties

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<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
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<tr>
<td>Julian Gonzalez</td>
<td>313 E Flynn, Apt 2</td>
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<tr>
<td>ENRITA ORTEGA</td>
<td>307 E Flynn</td>
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<td>SERGIO CAVAZOS</td>
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<td>Humberto Shull</td>
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<td>Boyd</td>
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<td>STEVEN CRAM</td>
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<td>Corinna Gonzalez</td>
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February 2020
Request to rezone from Single Family Residential ("R1") District to Multi-Family Residential ("M2") District for Lot 1, Block 3, Shadowbrook Subdivision, located on the south side of E Davis St, east of N 3rd Street. Applicant: Buddy Moody
PETITION IN OPPOSITION

Request to rezone from Single Family Residential ("R1") District to Multi-Family Residential ("M2") District for Lot 1, Block 3, Shadowbrook Subdivision, located on the south side of E Davis St, east of N 3rd Street. Applicant: Buddy Moody

Area of 200 ft. Radius: 7.6940 acres  
Area of Subject Property: 0.5900 acres  
Area of Opposition: 2.2692 acres

Area of 200 Ft. Radius - Area of Subject Property = Total Adjusted Area

Area of Opposition / Total Adjusted Area = Percentage of Opposition

7.6940 acres - 0.5900 acres = 14.3775
2.2692 acres / 14.3775 = 0.2462 = 31.94%
ORDINANCE NO. 20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN:
REZONING FROM SINGLE FAMILY RESIDENTIAL (“R1”) DISTRICT TO TRIPLEX/QUADPLEX RESIDENTIAL (“M1”) DISTRICT FOR LOT 1, BLOCK 3, SHADOWBROOK SUBDIVISION, LOCATED ON THE SOUTH SIDE OF E. DAVIS STREET, EAST OF N. 3RD STREET; 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 Single Family Residential (“R1”) District to Triplex/Quadplex Residential (“M1”) District for Lot 1, Block 3, Shadowbrook Subdivision, located on the south side of E. Davis Street, East of N. 3rd Street

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

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.
FINALLY ENACTED this __________ day of ____________, 2020 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 Single Family Residential ("R1") District to Triplex/Quadplex Residential ("M1") District for Lot 1, Block 3, Shadowbrook Subdivision, located on the south side of E Davis St, east of N 3rd Street. Applicant: Buddy Moody
Public hearing and take action to consider an Ordinance on First Reading request to rezone from Single Family Residential ("R1") District to 3/4-Plex Residential ("M1") District for Lot 1, Block 3, Shadowbrook Subdivision, located on the south side of E. Davis Street, East of N. 3rd Street. Applicant: Buddy Moody

Mr. Albert Molina summarized the following:

- The owner would like to rezone this property from single family residential to multi-family residential to allow for a multi-family construction. The applicant is considering a fourplex and two duplexes within the property for a total of 8 units.

- The subject property is an irregular-shaped lot and is currently vacant. It has 470.5' of frontage on Davis Street and has a depth of 93.82' at its widest point. The property has about 0.733 gross acres (31,929 sq ft) and 0.59 net acres (25,700 sq ft). A drainage ditch wraps around the perimeter of the property on the south and west sides.

- The property owner submitted the same rezoning request in the year 2017. After considerable opposition from the surrounding property owners, the request was denied by the Planning and Zoning Commission on June 14, 2017.

- The surrounding properties are zoned Planned Development ("PD") District to the north, Residential, Multi-Family (M-2) to the East, and Single Family (R-1) to the west and south. Surrounding land uses consist of single family dwellings and townhouses to the north, apartments to the east, and single family dwellings to the west and south.

- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan - One Vision, One Harlingen shows this area as low density residential. The rezoning request is not consistent with the low-density residential designated in the Future Land Use Plan and is not consistent with the surrounding land uses to the north, south, and west.

- To the present, the Planning and Development Department has received one email in objection from the surrounding property owners for the requested rezoning. The concern was in regards to the existing drainage issues in the neighborhood and possible issues with new development on the subject property. The property owner has submitted a petition with an estimated 32% of the area of the notified property owners.

- As an alternative, the Planning and Zoning Commission may approve a Duplex Residential ("R2") District, which is an area for development of a duplex on lots no smaller than 6,000 square feet.

As an alternative, the Planning and Zoning Commission may approve a 3/4-Plex Residential ("M1") District, which is an area for development of multifamily units of four or less.

Staff recommends disapproval of the request.
Chrm. Peacock asked the Board if there were any questions for staff.

Cmr. Martinez asked if there was a main reason for disapproval; its size or the way it is shaped

Mr. Molina answered that the future land use plan has a low density designation. Whether that lot is subdivided into four or that lot has a quadplex on it, it would be low density. The applicant is asking for multiple duplexes and quadplexes, which is a medium density.

Chrm. Peacock opened the public hearing.

The applicant spoke in favor of his request, stating that his proposed project will be very well and nicely built. His request is for a fourplex and triplex in the same property; plans are drawn and it will be fenced to keep safety in place.

Mr. Donald Lanz, 321 E. Flynn Ave. spoke in opposition of this agenda item. Mr. Lanz expressed his concern of the drainage, flooding, parking, and debris in this area and how a new development will increase matters for worse.

Ms. Arce, 317 E. Flynn Ave. spoke in opposition of this agenda item, and informed the board that she started the petition against this item. She is concerned about the flooding in this area, and adding a new development could possibly affect the flooding issue more.

Ms. Maricela Mendiola, 214 E. Davis spoke in opposition of this item and stated there have been many car accidents in this area even after the 4 way stop sign at the intersection have been implemented, accidents keep happening. She stated that she is against a new development happening because most of the people living in this area are elderly and a new building can be the cause of more accidents.

Mr. Buddy Moody, stated how the potential new development would be built so that no tenant parks in the street.

With no further comments, Chrm. Peacock closed the public hearing.

Mr. Lowry stated that upon reading the alternatives they are allowed to consider an R-2 or M-1.

Mr. Lowry stated that in regards to the drainage issue, staff will have to do an assessment before the construction starts.

Mr. Cervantes answered that if the zoning is approved the proposed development will have to comply with the city drainage regulations.

After careful consideration and review the board agreed to rezone this property to an M-1 which would only allow a fourplex at the maximum on the property. There was a discussion that the applicant could possibly split the property into two lots.
Cmr. Lowry made a motion to disapprove the M-2 zoning but alternatively to approve rezoning to M-1, Cmr. Martinez seconded the motion. Upon a unanimous vote the motion carried.
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: February 19, 2020

Agenda Item:

Public hearing and take action to consider an Ordinance on First Reading to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XVIII, Section 111-509(3) Signs, by amending the sign regulations within the Downtown District Overlay for properties along a state highway. Applicant: City of Harlingen

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

Brief Summary:

Project Timeline

- February 1, 2020 – In accordance with Statute and local law, notice of required public hearings published in the Valley Morning Star and mailed to all property owners within 200 feet of the subject tract.
- February 12, 2020- Public hearing was conducted by the Planning and Zoning Commission (P&Z). The P&Z Commission recommended approval of the amendment by a 3 to 0 vote.
- February 19, 2020– Public hearing and consideration of requested amendment via 1st ordinance reading scheduled before the City Commission.
- March 4, 2020– Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The City of Harlingen is requesting to amend the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article XVIII, Section 111-509(3), by amending the maximum allowable signage for properties fronting a state highway (ATTACHMENT 1).
- Pursuant to Chapter 111, Article XVIII, Section 11-509(3), the total area of all signs on any building face, shall not exceed the amount of linear building frontage facing the street (measure in feet) on which the building is addressed, multiplied by 1.5.
- The proposed ordinance would increase the maximum allowable signage for only the properties fronting a state highway (Harrison Street) to 3.0 square feet per linear foot of building facing a street, instead of the 1.5 square feet per linear foot of building facing the street. The proposed signage would be consistent with the current allowable signage permitted in a General Retail (GR) District. The proposed ordinance would also restrict the maximum height for an on-premise free standing sign to 30 feet.
- Harrison Street is a three lane, 62 ft. wide, one way street with shoulders. The area is zoned General Retail (“GR”) and is developed with retail, office and personal service uses.
The attached ordinance reflects the proposed change to the ordinance.

**Funding (if applicable):**
Are funds specifically designated in the current budget for the full amount
for this purpose?
*If no, specify source of funding and amount requested:

Finance Director’s approval:  

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**Staff Recommendation:**
Staff recommends approval subject to the ordinance.

City Manager’s approval:  

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**Comments:**

City Attorney’s approval:  

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2/13/20
Request to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XVIII, Section 111-509(3), Signs, by amending the sign regulations for properties along a state highway. Applicant: City of Harlingen
ORDINANCE NO. 20-_____

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 111, ZONING, ARTICLE XVIII, SECTION 111-509(3), SIGNS, BY AMENDING THE SIGN REGULATIONS WITHIN THE DOWNTOWN DISTRICT OVERLAY FOR PROPERTIES ALONG A STATE HIGHWAY; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS, The Planning and Zoning Commission has reviewed the proposed amendment to the Downtown District Overlay and has recommended approval;

WHEREAS, The Planning and Zoning Commission finds that the amendment to the sign regulations is in the best interest of promoting the proper development of the Downtown District;

WHEREAS, The proposed amendment is also consistent with the purpose of the One Vision One Harlingen Comprehensive Plan for the Downtown District which is to provide a growth-friendly environment that also preserves and enhances the architectural character of the area; and

WHEREAS, The City Commission of the City of Harlingen desires to amend the Downtown District Overlay, and

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

SECTION I: That the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article XVII, Section 111-501, Description and Map of District, is hereby amended by adding the language underlined (added) and deleting the language that is stricken through (stricken) to read in full as follows.
ARTICLE XVIII. - DOWNTOWN DISTRICT OVERLAY

Sec. 111-509 – Design Guidelines

(3) Signs. All signs shall be subject to building permits and review as provided in the sign ordinance (section 46-116 et seq.). The function of the storefront sign is to inform the customer of the goods or services provided within. Limiting the amount of information to essentials most effectively conveys the sign message. Signs must be individual metal, plastic, or wood letters. A sign containing neon lights, is backlit, or has a plastic face is allowed. No plywood signs are allowed. Signs that are painted on the building shall be approved by the HDB prior to commencement of such painting.

a. General sign guidelines.

1. No new off-premises signs, including billboards, are allowed;
2. Signs are permitted on awnings provided they are painted, printed, or sewn onto the fabric;
3. Permanent banners or flags (excluding government flags) will not be allowed. Temporary banners or flags are allowed for a period not to exceed 30 days per calendar year;
4. Signs cannot obscure or destroy architectural detail on the building;
5. Rooftop signs are not allowed;
6. Window signs shall encompass no more than 30 percent of the total glass area, not including any neon outlining of the glass;
7. Total sign area of all signs on any building face, which also includes any windows, awnings, and canopies associated with such building face, shall not exceed the amount of linear building frontage facing the street (measured in feet) on which the building is addressed, multiplied by 1.5. Illustrative example: A building at 123 Anywhere Street has 50 feet of building frontage along Anywhere Street (i.e., it is 50 feet wide along Anywhere Street). The maximum available area for all signs on any particular building face shall not exceed 75 square feet (50 multiplied by 1.5).

A building that has frontage on a State highway shall be allowed 3.0 square feet per linear foot of building facing the street for all the signs on the premises. The maximum height of a free standing sign on the premises shall be no greater than 30 feet.
SECTION II: That the City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true copy of the caption of this ordinance to be published in a newspaper having general circulations in the City of Harlingen, Cameron County, Texas.

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

FINALLY ENACTED this ______ day of ____________, 2020, 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
Public hearing and take action to consider a request to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XVIII, Section 111-509(3) Signs, by amending the sign regulations within the Downtown District Overlay for properties along a state highway. Applicant: City of Harlingen

Mr. Joel Olivo summarized the following:

- The City of Harlingen is requesting to amend the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article XVIII, Section 111-509(3), by amending the maximum allowable signage for properties fronting a state highway.

- Pursuant to Chapter 111, Article XVIII, Section 11-509(3), the total area of all signs on any building face, shall not exceed the amount of linear building frontage facing the street (measure in feet) on which the building is addressed, multiplied by 1.5.

- The proposed ordinance would increase the maximum allowable signage for only the properties fronting a state highway (Harrison Street) to 3.0 square feet per linear foot of building facing a street, instead of the 1.5 square feet per linear foot of building facing the street. The proposed signage would be consistent with the current allowable signage permitted in a General Retail (GR) District, with the exception that the maximum height for an on-premise free standing sign shall be no greater than 30 feet.

- Harrison Street is a three lane, 62 ft. wide, one way street with shoulders. The area is zoned General Retail ("GR") and is developed with retail, office and personal service uses.

- The attached ordinance reflects the proposed change to the ordinance.

Staff recommends approval subject to the ordinance.

Chr. Peacock asked the Board if there were any questions for staff, there was none.

Chr. Peacock opened the public hearing. There was none.

Mr. Cervantes stated that Cmr. Consiglio (not present) informed him that he is not in agreement in this change of ordinance.

Cmr. Wolf asked why Cmr. Consiglio was not in agreement of this ordinance change.

Chr. Peacock answered that Cmr. Consiglio was very involved with the sign ordinance overhaul a few years ago when signs were out of control.

Cmr. Wolf made a motion to approve the request with staff recommendation, Cmr. Lowry seconded. Upon a unanimous vote the motion carried.
### Agenda Item
**EXECUTIVE SUMMARY**

**Meeting Date:** February 19, 2020

**Agenda Item:**
Public hearing and take action to consider an Ordinance on First Reading to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article II, Section 111-31 (g) Amendments, by amending the time frame to resubmit rezoning and special use permit applications.

**Applicant:** City of Harlingen

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

**Signature:**

### Brief Summary:

**Project Timeline**
- **February 1, 2020** – In accordance with Statute and local law, notice of required public hearings published in the Valley Morning Star.
- **February 12, 2020** – Public hearing was conducted by the Planning and Zoning Commission (P&Z). The P&Z Commission recommended approval of the amendment by a 3 to 0 vote.
- **February 19, 2020** – Public hearing and consideration of requested amendment via 1st ordinance reading scheduled before the City Commission.
- **March 4, 2020** – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

**Summary**
- The City of Harlingen is requesting to amend the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article II, Section 111-31 (g), by amending the minimum time frame for the applicants to resubmit rezoning and special use permit applications that have been denied by the City Commission (ATTACHMENT 1).

- The current ordinance allows a rezoning or special use permit application that has been denied by the City Commission to be resubmitted a second time. If the rezoning or special use permit application is denied by the City Commission a second time, such request shall not be resubmitted to the Planning and Zoning Commission or the City Commission for an intervening six month period following the denial of such second submission to the City Commission.

- The proposed ordinance would require a minimum six month intervening period after the rezoning or special use permit application has been denied by the Planning and Zoning Commission and the City Commission, before a rezoning or special use permit application can be applied again for a reconsideration by the Planning and Zoning and City Commission.
- The attached ordinance reflects the proposed change to the ordinance.

### Funding (if applicable):

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

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

Finance Director’s approval:

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### Staff Recommendation:

Staff recommends approval of the attached zoning ordinance amendment.

City Manager’s approval:

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### Comments:

City Attorney’s approval:

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ORDINANCE NO. 20-____

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 111, ZONING, ARTICLE II, SECTION 111-31(g), AMENDMENTS, BY AMENDING THE TIME FRAME TO RESUBMIT REZONING AND SPECIAL USE PERMIT APPLICATIONS; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

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

WHEREAS, The City Commission of the City of Harlingen desires to amend the zoning code of ordinances to simplify the rezoning and specific use permit process;

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

SECTION I: That the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article II, Section 111-31(g), is hereby amended by adding the language underlined (added) and deleting the language that is stricken through (stricken) to read in full as follows.

ARTICLE II. - ADMINISTRATION

Sec. 111-31 - Amendments
a) Any person or corporation having a proprietary interest in any property may petition the city commission for a change or amendment to the provisions of this chapter, or the planning and zoning commission may, on its own motion, or on request from the city commission, institute a study and proposal for changes and amendments in the public interest.

(b) The city commission may from time to time amend, supplement or change by ordinance the boundaries of the districts or the regulations herein established as provided by the statutes of the State of Texas.
(c) Before taking any action on any proposed amendment, supplement or change, the city commission shall submit the same to the planning and zoning commission for its recommendation and report.

(d) (1) The planning and zoning commission shall make a preliminary report and hold public hearings on that report before submitting a final report to the city commission. The city commission may not hold a public hearing until it receives the final report of the planning and zoning commission unless the city commission, by ordinance, provides that a public hearing is to be held, after the notice required by Texas Local Government Code § 211.006(a) jointly with a public hearing required to be held by the planning and zoning commission. In either case, the city commission may not take action on the matter until it receives the final report of the planning and zoning commission.

(2) Before the tenth day before the hearing date, written notice of each public hearing before the planning and zoning commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail. If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the notice shall be given in the manner provided by Texas Local Government Code § 211.006(a).

(3) Before the tenth day before the hearing date, written notice of each public hearing before the planning and zoning commission on a proposed change in a zoning classification affecting residential or multifamily zoning shall be sent to each school district in which the property for which the change in classification is proposed is located. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail.

(e) (1) A public hearing shall be held by the city commission before adopting any proposed amendment, supplement or change. Notice of such hearing shall be given by publication stating the time and place of such hearing, which time shall not be earlier than 15 days from the date of publication.

(2) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the city commission. The protest must be written and signed by the owners of at least 20 percent of either:
   a. The area of the lots or land covered by the proposed change; or
   b. The area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

(3) In computing the percentage of land area under subsection (e)(2) of this section, the area of streets and alleys shall be included.

(f) A proposed amendment, supplement or change may be officially protested after action is taken by the planning and zoning commission at the time it goes to the public hearing with city commission by filing with the city secretary a written and duly signed petition from the owners of 20 percent or more either of:

(1) The area of the lots or land covered by the proposed change; or
(2) The area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.
Such amendment shall not become effective except by a four-fifths vote of the governing body of the city. In determining the property included in the 200 foot radius all measurements shall begin at the property line of the lots in the proposed zoning change.

(g) If a rezoning or a special use permit request for a particular tract of property is made to the city commission after standard planning and zoning procedure, and such request, for whatever reason, fails to be enacted by the city commission by passing an ordinance pursuant to this chapter, such rezoning or special use permit request may be considered a second time by the city commission after such request has been resubmitted to the planning and zoning commission for its recommendation pursuant to the provisions of this chapter. If such rezoning request is not enacted by the city commission upon said second submission, such request shall not be resubmitted to the planning and zoning commission or the city commission for an intervening six month period following the date of the denial of such second submission to the city commission.

(h) Any persons, jointly or severally, aggrieved by any decision of the planning and zoning commission may present to the city commission a petition, setting forth that such decision is unjust, in whole or in part, and specifying the grounds of injustice. Such petition shall be presented to the city secretary within ten days after the final decision of the planning and zoning commission, and not thereafter, for notification and calling of a public hearing to hear and act on the appeal.

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

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

**FINALLY ENACTED** this ______ day of ___________, 2020, 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
Public hearing and take action to consider a request to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article II, Section 111-31(g) Amendments, by amending the time frame to resubmit rezoning and special use permit applications. Applicant: City of Harlingen

Mr. Olivo summarized the following:

- The City of Harlingen is requesting to amend the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article II, Section 111-31(g), by amending the minimum time frame for the applicants to resubmit rezoning and special use permit applications that have been denied by the City Commission.

- The current ordinance allows a rezoning or special use permit application that has been denied by the City Commission to be resubmitted a second time. If the rezoning or special use permit application is denied by the City Commission a second time, such request shall not be resubmitted to the Planning and Zoning Commission or the City Commission for an intervening six month period following the denial of such second submission to the City Commission.

- The proposed ordinance would require a minimum six month intervening period after the rezoning or special use permit application has been denied by the Planning and Zoning Commission and the City Commission, before a rezoning or special use permit application can be applied again for a reconsideration by the Planning and Zoning and City Commission.

- The attached ordinance reflects the proposed change to the ordinance.

Staff recommends approval of the attached zoning ordinance amendment.

Chr. Peacock asked the Board if there were any questions for staff, there was none.

Chr. Peacock opened the public hearing, there was none.

Cmr. Lowry made a motion to approve the request, Cmr. Martinez seconded. Upon a unanimous vote the motion carried.
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: February 19, 2020

Agenda Item:
Consideration and possible action to approve a Memorandum of Understanding (MOU) between the Cities of Brownsville, San Benito, and Harlingen to establish a general working agreement to consolidate and coordinate their efforts and resources in the establishment of a Regional Consolidated Plan and Strategy as required by the U.S. Department of Housing and Urban Development and set forth in 24 CFR Part 91.

Prepared By (Print Name): Gabriel Gonzalez, CPM
Title: Assistant City Manager – Internal Services
Signature: [Signature]

Brief Summary:
Participating local governments receive an annual allocation of Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnership Program (HOME) from HUD.

In order to acquire federal funding from the U.S. Department of Housing and Urban Development (HUD), participating jurisdictions must submit a consolidated plan for a 5-year period as set forth in 24 CFR Part 91.200. The consolidated plan describes activities and resources used to meet the needs of low- and moderate-income families. The consolidated plan is designed to help states and local jurisdictions assess their affordable housing and community development needs and market conditions, and to make data-driven, placed-based investment decisions. In addition, participating jurisdictions must submit an annual action plan, which provides a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the consolidated plan.

The City of Brownsville (COB), through proper procurement procedures and input from the CITIES, obtained Request for Proposals for a Consultant to undertake the development of a Regional Consolidated Plan and its necessary components. The COB will be the lead entity.

Funding (if applicable):
Are funds specifically designated in the current budget for the full amount X Yes □ No* for this purpose?
*If no, specify source of funding and amount requested:
Finance Director’s approval: □ Yes □ No □ N/A

Staff Recommendation:
Approve Memorandum of Understanding between the Cities of Brownsville, San Benito, and Harlingen for the development of a 5 year Consolidated Plan and Strategy.

City Manager’s approval: □ Yes □ No □ N/A
Comments:

City Attorney’s approval: □ Yes □ No □ N/A

2/13/20 as filed
MEMORANDUM OF UNDERSTANDING
Between the City of Brownsville, Texas and the Cities of Harlingen, Texas
and San Benito, Texas

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish a
general working agreement between the City of Brownsville, Texas (COB) and
local partners, to include the cities of Harlingen and San Benito, Texas, (CITIES),
to consolidate and coordinate their efforts and resources in the establishment of
a Regional Consolidated Plan and Strategy as required by the U.S. Department
of Housing and Urban Development as set forth in 24 CFR Part 91.

II. Background

Participating local governments receive an annual allocation of Community
Development Block Grants (CDBG), Emergency Solutions Grants (ESG), and
HOME Investment Partnerships Program (HOME) Grants from U.S. Department
of Housing & Urban Development (HUD). The grant amounts are determined by
formulas established through federal regulations. The primary objectives of the
CDBG Program are the development of viable urban communities by providing
decent housing, suitable living environments, and expanding economic
opportunities, principally for persons of low and moderate income. The HOME
program funds a wide range of activities including building, buying, and/or
rehabilitating affordable housing for rent or homeownership or providing direct
assistance to low-income people. The HOME Program is the largest Federal
blog grant designed to create affordable housing for low-income households. The
purpose of ESG is to assist individuals and families quickly to regain stability in
permanent housing after experiencing a housing crisis or homelessness.

In order to acquire federal funding from HUD, participating jurisdictions must
submit a consolidated plan for a 5-year period as set forth in 24 CFR Part
91.200. The consolidated plan describes activities and resources used to meet
the needs of low- and moderate-income families. The consolidated plan is
designed to help states and local jurisdictions assess their affordable housing
and community development needs and market conditions, and to make data-
driven placed-based investment decisions. In addition, participating jurisdictions
must submit an annual action plan which provides a concise summary of the
actions, activities, and specific federal and non-federal resources that will be
used each year to address the priority needs and specific goals identified by the
consolidated plan.

The COB, through proper procurement procedures and input from the CITIES,
obtained Request for Proposals for a Consultant to undertake the development of
a Regional Consolidated Plan and its necessary components. The COB will be
the lead entity.
III. Agreement

COB and CITIES agree to coordinate and establish a Regional Consolidated Plan through the selected qualified consultant.

CITIES agree to
- schedule, coordinate, and hold public hearings within their communities
- provide demographic and historical data to consultant
- distribute and collect community surveys
- implement efforts at the local level in developing and supporting research addressing housing, infrastructure, social service agencies, economic development and other information as needed by consultant
- review and approve the contents of the completed Regional Consolidated Plan through formal process adopted by each of the CITIES respective Commissions
- establish local priorities to be included in the Regional Consolidated Plan and Annual Action Plans
- actively participate in the development of the Regional Consolidated Plan and Annual Action Plans

IV. Programming, Budgeting, Funding, and Reimbursement Arrangement

This MOU involves a commitment on behalf of the CITIES to contribute CDBG Administrative funds towards the cost of the consultant to undertake the development of the Regional Consolidated Plan to include the Housing Market Analysis, Analysis of Impediments, and the Development of Performance Measurement System for each participant. The cost of said consultant is an eligible CDBG expense.

It is understood that the cost distribution shall be that COB will pay 67% of the total costs, City of Harlingen will pay 24% of the costs, and City of San Benito will pay 9% of the costs. The CITIES will reimburse COB in accordance with applicable laws, regulations, and procedures.

V. Effective Date

This MOU will become effective upon signatures by the CITIES and the COB, and shall terminate upon completion and approval by HUD of the Regional Consolidated Plan and Annual Action Plan.

VI. Other MOUs

There are no superseding MOUs on this topic between the parties hereto.
AGreed To This _______Day of FebRuary 2020 By

City of Brownsville:

________________________________________
City of Brownsville Mayor

Attest:

________________________________________
City Secretary

APPROVED AS TO FORM:

________________________________________
City Attorney
City of San Benito:

__________________________
City of San Benito Mayor

Attest:

__________________________
City Secretary

APPROVED AS TO FORM:

__________________________
City Attorney
City of Harlingen:

City of Harlingen Mayor

Attest:

City Secretary

APPROVED AS TO FORM:

City Attorney
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: February 19, 2020

Agenda Item:
Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen Fire Department, to submit a grant application available through the Office of the Governor Homeland Security Grants Division, under the FY 2020/2021 State Homeland Security Program (SHSP) for the purchase of two all terrain vehicles: one Medical and one Fire Hazmat Decon unit.

Prepared By (Print Name): Rogelio Rubio
Title: Fire Chief
Signature: [Signature]

Brief Summary:
The Harlingen Fire Department requests to submit a grant application for FY 2020/2021 State Homeland Security Grant Program for two All Terrain Vehicles (1-Medical and 1-Fire/Hazmat Decon unit) for response to fire, medical or hazmat incidents in remote areas inaccessible by fire units, and during activation of the Harlingen Fire Department Regional Hazardous Materials Response Team. No matching funds are required for this SHSP Grant.

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

form revised 04/29/09

2/19/20
RESOLUTION NO: ______________

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF HARLINGEN, ON BEHALF OF THE HARLINGEN FIRE DEPARTMENT, TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR OF HOMELAND SECURITY GRANTS DIVISION MADE AVAILABLE THROUGH FY 2020/2021 STATE HOMELAND SECURITY PROGRAM (SHSP) FOR TWO ALL TERRAIN VEHICLES TO ENHANCE THE RESPONSE CAPABILITIES FOR HAZARDOUS MATERIALS AND MEDICAL RESCUE INCIDENTS IN REMOTE AREAS.

WHEREAS, The City of Harlingen finds it in the best interest of the citizens of Harlingen and Cameron County, that the Harlingen Fire Department submit a grant to the Office of the Governor of Homeland Security Grants Division for two All Terrain Vehicles (one Medical and one Fire/Hazmat Decon unit) to enhance the operation and capabilities of the City of Harlingen Fire Department and the Hazardous Materials Regional Response Team for Fiscal Year 2020/2021; and

WHEREAS, The City of Harlingen agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Harlingen assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Harlingen designates Chris Boswell, Mayor as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED that The City of Harlingen approves submission of the grant application for the continued support of the Hazardous Materials Regional Response Team Project to the Office of the Governor.

CONSIDERED AND ADOPTED this 19th day of February, 2020 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 Elizondo, City Secretary
**EXECUTIVE SUMMARY**

Meeting Date: **February 19, 2020**

Agenda Item:
Consideration and possible action to approve a resolution in support of the United State Bicycle Route 55 and 255.

Prepared By: J. Joel Garza Jr, CPM  
Title: Director of Special Projects
Signature: [Signature]

**Brief Summary:**

Summary

The Caracara Trails (formally the Active Plan) is requesting to designate portions of I69E Frontage, BUS 77, and FM 509 as part of the United State Bicycle Route designated by AASHTO. Designating a USBR does not impose any constraints or restrictions on the use of the road and its current or future status or use for any other purpose is not changed.

**Funding (if applicable):**

Are funds specifically designated in the current budget for the full amount for this purpose?  
*If no, specify source of funding and amount requested:

Finance Director’s approval: 

Staff Recommendation:

Staff recommends approval.

City Manager’s approval: 

Comments:

City Attorney’s approval:

*form revised 04/29/09*
The Cameron County segment of the United States Bicycle Route (USBR) #55 (Map 3.4, United States Bicycle Route #55) will be located within 120 miles of state and county highway corridors. Through ingress and egress points in northwestern Cameron County, USBR 55 would form a circulosity route through the County originating from, and terminating at, Combes. Proposed USBR 55 would incorporate low-cost facility enhancements on locally-popular cycling routes to attract bicycle tourists to the region while further legitimizing local cyclists' rights to share the road.

**LEGEND: ACTIVE ROUTES**

- **US Bicycle Route (Proposed)**

**FIGURE 3-3: UNITED STATES BICYCLE ROUTE #55**

<table>
<thead>
<tr>
<th>USBR SEGMENT</th>
<th>GENERAL CONDITIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Hidalgo Co. - Combes (0.9 Miles)</td>
<td>SH 127 through Santa Rosa. Paved shoulders (5-10' wide).</td>
</tr>
<tr>
<td>B. Combes - San Benito (0.5 Miles)</td>
<td>SH 127 to USBR 55 via US 77. Divert to E. Tyler and E. Vandall in downtown Harlingen via N. 8th St. Paved shoulders (5-10' wide throughout, except N. 8th St. which have wide lanes).</td>
</tr>
<tr>
<td>C. San Benito - Los Indios (9.8 Miles)</td>
<td>US 77 to USBR 55. Paved shoulders (5-10' wide).</td>
</tr>
<tr>
<td>D. Los Indios - Brownsville (19.7 Miles)</td>
<td>USBR 55 to downtown Brownsville via US 281. Paved shoulders (5-6' wide) to Brownsville. No bicycle accommodation between Brownsville and downtown Brownsville.</td>
</tr>
<tr>
<td>E. Brownsville - Port Isabel (21.5 Miles)</td>
<td>SH 281 accommodates 2 lanes of traffic. Urban environment converting to median separated thoroughfare.</td>
</tr>
<tr>
<td>F. Port Isabel - SP (4.1 Miles)</td>
<td>SH 281 via the Queen Padilla Causeway. Paved shoulders on Port Isabel (5-12' wide) also used for on-street parking. No current bicycle accommodation on the roadway.</td>
</tr>
<tr>
<td>G. Port Isabel - Laguna Atascosa MWR (11.7 Miles)</td>
<td>SH 281 and US 83 through Laguna Heights and Laguna Vista to Brown County. Paved shoulder on SH 281 and US 83 (4-6' wide); Brown County being repaired and widened for bicycle use.</td>
</tr>
<tr>
<td>I. Rio Hondo - Combes (10.2 Miles)</td>
<td>SH 281 to USBR 55. Westlake paved shoulder width (2-10') throughout the segment.</td>
</tr>
</tbody>
</table>

1 Design considerations discussed on page 3.11.
What does designation mean?

- Designation signifies that a route is officially recognized and approved with a route number by AASHTO.

- AASHTO does not approve the suitability of the route for bicycle travel; rather, the Special Committee on U.S. Route Numbering reviews the numbered designation to ensure a standardized network.

- There is no inherent liability for local agencies per the federal Transportation Research Board. Signage is nice, but not required.

- Designating a USBR does not impose any constraints or restrictions on the use of a road, street, trail or right-of-way. It’s current or future status or use for any other purpose is not changed.
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **February 19, 2020**

**Agenda Item:**
Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen, to submit a grant application in the amount of $31,170.00 in funding made available through the Officer of the Governor Criminal Justice Division, under the FY 21 Justice Assistance Grant (JAG) Program to fund two (2) variable radar message board speed trailers.

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

**Brief Summary:**
Harlingen Police Department will be utilizing the FY 21 Justice Assistance Grant (JAG) Program funds to enhance our speed enforcement initiatives by targeting known speeding hot spots, which will allow for a reduction in individuals violating the posted speed limit, a decrease in speed related accidents and a safer community.

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

**Finance Director’s approval:** _[ ] Yes _[ ] No _[ ] N/A_

**Staff Recommendation:**
Harlingen Police Department recommends that it be allowed to submit an application to secure funding in the amount of $31,170.00 to enhance our speed enforcement initiatives.

**City Manager’s approval:** _[ ] Yes _[ ] No _[ ] N/A_

**City Attorney’s approval:** _[ ] Yes _[ ] No _[ ] N/A_

*form revised 01/26/09*
RESOLUTION NO. 2020-___

A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE HARLINGEN POLICE DEPARTMENT TO SUBMIT AN APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE ALLOCATION OF FUNDS MADE AVAILABLE THROUGH THE FY 2021 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO FUND THE PURCHASE OF TWO VARIABLE RADAR MESSAGE BOARD SPEED TRAILERS.

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas to seek funding from the Justice Assistance Grant Program; available through the Office of the Governor Criminal Justice Division for the funding of two variable radar message board speed trailers to enhance speed enforcement initiatives by targeting known speeding hot spots, which will allow for a reduction in individuals violating the posted speed limit, a decrease in speed related accidents and a safer community.

WHEREAS, the governing body of the City of Harlingen has considered the Proposed 2021 JAG funding application at a regular City Commission meeting for said project, in the amount of $31,170.00 and prior to its final submittal to the Office of the Governor Criminal Justice Division – Justice Assistance Grant Program; and

WHEREAS, the City Commission of the City of Harlingen, Texas understanding the financial limitations and obligations related to such funding, including the full return of grant funds back to the Office of the Governor’s Criminal Justice Division in the event of a loss or misuse, endorses the application for funding on behalf of the Harlingen Police Department; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS: that the City Commission approves the submission of the grant application for the funding of two variable radar message board speed trailers in the amount of $31,170.00

CONSIDERED AND ADOPTED this ___ day of ___, 2020, 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

ATTEST

Chris Boswell, Mayor

Amanda Elizondo, City Secretary
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: February 19, 2020

Agenda Item:
Consideration and take action to authorize the Mayor, on behalf of the City of Harlingen, to submit a grant application for $36,700 in funding made available through the Office of the Governor Criminal Justice Division FY2021 Criminal Justice Program – Justice Assistance Grant Program (JAG).

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

Brief Summary:
The Harlingen Municipal Court will be utilizing the Justice Assistance Grant Program funds to contract Alternate Judges to preside over weekday magistrate and arraignment court sessions. No matching funds are required. Funds will be used for contract salaries and training.

Funding (if applicable):
Are funds specifically designated in the current budget for the full amount □ Yes □ No
for this purpose?
*If no, specify source of funding and amount requested: The source of funding will be the Office of the Governor – Criminal Justice Division. The amount requested is $36,700.

Finance Director’s approval: □ Yes □ No □ N/A

Staff Recommendation:
Staff recommends that we submit an application to secure funding in the amount of $36,700 to contract Alternate Judges to preside over weekday magistrate and arraignment court sessions.

City Manager’s approval: □ Yes □ No □ N/A

Comments:

City Attorney’s approval: □ Yes □ No □ N/A
RESOLUTION NO.  

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS AUTHORIZING THE HARLINGEN MUNICIPAL COURT TO SUBMIT AN APPLICATION IN REFERENCE TO (GRANT # 4032701) FROM THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FY2021 CRIMINAL JUSTICE PROGRAM MADE AVAILABLE THROUGH THE JUSTICE ASSISTANCE PROGRAM (JAG) TO CONTRACT ALTERNATE JUDGES TO PRESIDE OVER WEEKDAY MAGISTRATE AND ARRAIGNMENT COURT SESSIONS. FUNDS WILL BE USED FOR CONTRACT SALARIES AND TRAINING.

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas to seek funding from the Justice Assistance Grant Program: available through the Office of the Governor Criminal Justice Division FY2021 Criminal Justice Program for the contracting of Alternate Judges to preside over weekday magistrate and arraignment court sessions he accepted; and

WHEREAS, the governing body of the City of Harlingen has considered the Proposed FY 2021 JAG funding application at a regular City Commission meeting for said project, in the amount of $36,700 and prior to its final submittal to the Office of the Governor Criminal Justice Division – Justice Assistance Program; and

WHEREAS, the City Commission of the City of Harlingen, Texas understanding the financial limitations and obligations related to such funding, including the full return of grant funds back to the Office of the Governor's Criminal Justice Division in the event of a loss or misuse, endorses the application for funding on behalf of the Harlingen Municipal Court; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISION OF THE CITY OF HARLINGEN, TEXAS: that the City Commission approves the submission of the grant application for the funding to contract Alternate Judges to preside over weekday magistrate and arraignment court sessions in the amount of $36,700.

CONSIDERED AND ADOPTED this _____ day of ___________, 2020, at a regular meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

GRANT # 4032701.

CITY OF HARLINGEN:

Chris Boswell, Mayor

ATTEST:

Amanda Elizondo, City Secretary
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date:  February 19, 2020
Agenda Item:
Consideration and possible action to approve the By Laws for the Mayors Wellness Council of Harlingen.  
Attachment (Parks and Recreation)

Prepared By (Print Name):  Javier Mendez
Title: Parks & Recreation-Director
Signature: [Signature]

Brief Summary:
The Mayors Wellness Council of Harlingen Executive Committee was formed through a Resolution on September 2015 by the Harlingen City Commission. The formation of this board was an initiative to address the health and wellness needs of citizens of Harlingen, and would create a method in which to seek funding.
Additionally, the Council was established to implement such strategies as are needed to benefit the health and wellness of the citizens by creating educational opportunities regarding fitness and nutrition. The Council’s Executive Committee will be composed of no less than ten nor more than fifteen members of which seven members shall come from Harlingen organizations and/or businesses, the school district, hospitals, health clinics, local fitness companies, universities/colleges, a large retail corporation and of which three shall be community at large members. The Resolution adopted the following terms and goals for the organization.

1. The goal of Healthy Harlingen an initiative of The Mayor’s Wellness Council and the City of Harlingen, is to become a leader in the promotion of health and wellness in the community.
2. The City Commission directs that the Mayor’s Wellness Council shall be formed to assist the people of the community in raising their overall fitness levels, while developing a lifestyle which will sustain a high quality of life.
3. The Mayor’s Wellness Council will serve as a liaison between community groups focused on the common goal of overall health and wellness of the citizens and will advise the City Commission on any ideas to help reach that goal.
4. The membership of the Mayor’s Wellness Council as follows: a) Each Commissioner shall appoint two members that come from Harlingen organizations and/or businesses, the school district, hospitals, health clinics, local fitness companies, universities/colleges, and a large retail corporation. b) The Mayor shall appoint three at large members and the chairperson.
5. The Council shall establish by-laws and hold meetings in accordance with City of Harlingen Ordinances and regulations.
The Harlingen Mayors Wellness Council Executive Committee met on February 10, 2020 and voted unanimously to recommend the approval of the Council’s By Laws.

Funding (if applicable):
Are funds specifically designated in the current budget for the full amount?  
Yes  X  No*

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

form revised 04/29/09 1
<table>
<thead>
<tr>
<th><strong>Staff Recommendation:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff recommends approval of the By Laws.</td>
<td></td>
</tr>
</tbody>
</table>

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

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

Comments:

2/13/10
BYLAWS
OF
The Mayor’s Wellness Council

ARTICLE I
GENERAL

Section 1. Applicability. These Bylaws provide for the governance of The Mayor’s Wellness Council of Harlingen.

Section 2. Name. The name of the organization is The Mayor’s Wellness Council of Harlingen, hereinafter referred to as “the Council”. The Council is a collective group of volunteers. The Executive Committee, hereinafter referred to as EC, of the Council is nominated by the Mayor and City Commission of Harlingen, Texas.

Section 3. Purpose. The purpose of the organization is to actively work to promote a healthy lifestyle for the citizens of Harlingen, Texas. This organization is a leadership group serving in an advisory capacity for the City Commission of Harlingen and formed to highlight, develop, and seek funding for community health and wellness needs. Though the group does not hold its own 501(c)(3) Exempt Status, it operates under the fiscal agent, The Harlingen Wellness Coalition which is a charitable and exempt organization under Section 501(c)(3) of the Internal Revenue Code.

Section 4. Fiscal Year. The fiscal year, unless changed by the Board, shall be January 1 through December 31. The Council has no power to expend public funds, enter into contracts, or otherwise place obligation or liability upon the City.

ARTICLE II
COUNCIL

Section 1. Composition. The EC shall be composed of a minimum of ten (10) but not more than fifteen (15) members. The EC and Officers shall be based on the recommendation of the current EC and Officers and be appointed and approved by the members of the Harlingen City Commission. The City Commission may also bring new recommendations for members. The Council will strongly consider seeking seven representatives from the following: invested Harlingen organizations or businesses; school district; doctors; hospitals; health clinics; health insurance providers; local fitness companies; university/college/large retail corporations and three community at large members. The remaining members shall be appointed based on their interest in serving on the Council. The appointed members shall elect a Chair, Vice Chair and Secretary for the EC of the Council for a term of two years.

Section 2. Term of Office. EC members will be appointed by the Harlingen City Commission and their term will coincide with the sponsoring Mayors/Commissioners election term.

Section 3. Meetings. The Council shall meet at least once every other month at a time and place to be determined by the Chair. Members will receive notice of a meeting in written or verbal form at least one (1) month in advance. Other meetings may be held as needed and scheduled by the Chair. The Vice Chair or Treasurer, in his/her absence, or other person appointed by the Chair, shall preside at the meetings.
Section 4. Removal. A Member may be removed for not attending at least fifty percent (50%) of all EC meetings or demonstrating unethical conduct. Removal requires a majority vote of the entire EC. Upon removal, that vacancy shall be filled following the same procedure used when appointing a new Council member. For purposes of this section, Chapter 2- Administration, article v. – ethics of the City’s Code of Ordinances applies as the guideline related to unethical conduct.

Section 5. Resignation. If a Member chooses to resign, the individual must provide written notice of resignation to the Chair. Upon the resignation, that vacancy shall be filled following the same procedure used to appoint members.

ARTICLE III
GOVERNANCE AND ACCOUNTABILITY

The Council shall provide regular updates to the Mayor and City Commissioners, primarily through the Executive Committee (EC). The EC was created as the Leadership Committee of the council and works closely with all workgroups and keeps the citizens of Harlingen apprised of its work through social media and website updates.

Section 1.

a. General Powers – The EC will serve as the liaison to the Mayor and the various workgroups and volunteers who serve on the Council.

b. Duties – The Council shall formulate policy recommendations for review and approval by the City Commission. Recommendations shall pertain to the prevention of disease and the development and implementation of coordinated health education, physical education, nutritional services, mental and emotional wellness, and similar types of health programs.

c. Action by Mail, Telephone or Electronic Communications – Any action requested to be taken by the EC at a meeting of the Council may also be taken by mail, telephone, or electronic communications.

d. Quorum – A simple majority of the members of the appointed EC shall be considered a quorum. Any action of the Council may be authorized by a vote of a simple majority of those EC members present.

Section 2. Officers. The Officers of the Council, part of the EC, as defined in Article IV, shall be responsible for the day to day operations and activities of the Council, for appointing and managing the committees, and for carrying out the work of the groups.

Section 3. Workgroups. The President and/or Council may form Workgroups, Committees, Task Forces and/or other Committees of the Membership to carry out the functions of the Council. Current Workgroup, Committees, and Task Forces are as follows:

A. Executive Committee: The leadership committee interacts with all work groups by providing vision for the group as a whole. It also provides updates to the Mayor and City leadership of activities and works collaboratively to ensure goals are met.
B. **Active Community Design and Policy:** To ensure Harlingen has a growing number of sound policies and built environment options in place to support healthy food choices and achievement of physical activity guidelines.

C. **Fitness:** To coordinate with other community partners to implement at least one evidence-based fitness program in Harlingen annually.

D. **Healthy Schools:** To provide meaningful support such as volunteers, program coordinating, marketing, etc. to HCISD towards their current and future implementation of evidence-based programs in the schools to promote nutrition and physical activity before, during and after school for all children.

E. **Impact and Evaluation:** To provide a means for quantitative and qualitative evaluation of the work of the council, to provide insight into goal achievement.

F. **Marketing and Promotion:** To coordinate the marketing of wellness in Harlingen, led by Harlingen Parks and Recreation, across community partners and events through mass and social media options.

G. **Nutrition:** To coordinate with other community partners to implement at least one evidence-based program in Harlingen annually.

H. **Workplace Wellness:** To provide technical assistance and recognition around workplace wellness initiatives and policies to workplaces associated with Harlingen and our citizens.

**Section 4. Fiscal Policies and Procedures.** The fiscal agent, the Harlingen Wellness Coalition, follows a set of policies and procedures related to the handling of finances for its own organization as well as monies designated for use by the Council. Such policies and procedures are applicable to any expenditures or budget requests made by the Council.

**ARTICLE IV OFFICERS**

**Section 1. Designation.** The Officers of the Council will consist of a Chair, Vice Chair, Past Chair, Secretary, Treasurer, and the Chairs of each Workgroup: Active Community Design and Policy Chair, Fitness Chair, Healthy Schools Chair, Impact and Evaluation Chair, Marketing and Promotion Chair, Nutrition Chair, and Workplace Wellness Chair.

**Section 2. Appointments.** Appointments will be made every two (2) years or as needed. Council Members will be responsible for electing new officers.

**Section 3. Terms of Office.** The Officers will serve a maximum of two (2) consecutive years in any office. An Officer may serve in a new office following the end of their two (2) year term in another role.

**Section 4. Duties.** Duties of the Officers are as follows:
A. Chair. The Chair shall preside over any public meeting of the Council. The Chair will have general supervision, direction, and control of the business affairs of this organization.

B. Vice Chair. The Vice Chair shall act in the Chair’s absence and shall have all powers, duties and responsibilities provided for the Chair when so acting. In addition, they may have other specific duties as directed by the Chair. If the Chair steps down, the Vice Chair will become the interim Chair until the office can be filled.

C. Past Chair. The past chair may choose to stay on the EC for another year to serve the current chair in an advisory role.

D. Secretary. The Secretary shall keep a book of meeting minutes and is the custodian of all records of this organization. The Secretary will present previous meeting minutes and will maintain member contact information. The Secretary shall take over the Chair’s duties when the Chair and Vice Chair are not available.

E. Treasurer. The Treasurer is responsible for the financial matters of the Council and may also be affiliated with the Harlingen Wellness Coalition, the main fiscal agent. The Treasurer shall maintain adequate and correct accounts of the organization’s assets, liabilities, receipts, disbursements and all income of any sort derived from the organization from any of its activities. The Treasurer will be responsible for financial reports during meetings. The Treasurer will be responsible for reporting to the Council as well as Harlingen Wellness Coalition.

F. The Chairs for each workgroup shall inform the EC of work and progress on projects that focus on the Council’s priorities, as set forth by the EC.

G. Active Community Design and Policy Chair

H. Fitness Chair

I. Healthy Schools Chair

J. Impact and Evaluation Chair

K. Marketing and Promotion Chair

L. Nutrition Chair

M. Workplace Wellness Chair

ARTICLE V
MISCELLANEOUS

Section 1. Amendments. These Bylaws may be amended at any regular or called meeting by a majority of the EC members present. Amendments can also be voted on electronically. Notice
of proposed changes shall be sent to all members at least five (5) to seven (7) calendar days in advance before the scheduled meeting. Any amendments to the Bylaws must be approved by the Harlingen City Commission.

**Section 2. Books and Records.** All Council members, as well as City Commissioners, shall be entitled to inspect all books and records of the Council and current copies of these Bylaws.

**ARTICLE VI**  
PARLIAMENTARY AUTHORITY

**Section 1. Parliamentary Authority.** The Parliamentary Authority for this organization shall be Roberts Rules of Order, Newly Revised, Edition 10, or as subsequently revised.

**ARTICLE VII**  
DISSOLUTION

**Section 1. Dissolution.** The Council may recommend the disbandment at any regular or called meeting by a majority of the Council Members present; notice of such shall have been sent to all active Members fourteen (14) days prior to a vote on the matter. The sanctioned dissolution of the Council requires a vote by the City Commission.

These bylaws were approved on this 7th day of January 2020 by a vote of the Board.

_________________________  
Chairman (Print Name)  
_________________________  
Chairman’s Signature

_________________________  
Vice Chairman (Print Name)  
_________________________  
Vice Chairman’s Signature
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: February 19, 2020

Agenda Item:
Consideration and possible action to approve a resolution in support of the Rayo Del Sol Terrace Housing Community Application to the Texas Department of Housing and Community Affairs for 2020 Competitive 9% Housing Tax Credits for the proposed development of the Rayo del sol Terrace Housing Development.

Prepared By (Print Name): Dan Serna
Title: City Manager
Signature: ________________________________

Brief Summary:
Rayo del sol Terrace, Ltd. intends to submit an application to the Texas Department of Housing and Community Affairs for 2020 Competitive 9% Housing Tax Credits for the Rayo del sol Terrace Housing Community to be constructed at South West corner of Grimes Avenue and 77 Sunshine Strip and is requesting financial in-kind support from the City in the amount of $500.

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:

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

Comments:

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

Date: 2/13/20
February ______, 2020

Attn: Ms. Sharon Gamble – Multifamily Division  
Texas Department of Housing and Community Affairs  
221 East 11st Street  
Austin, TX 78701

Re: Rayo Del Sol Terrace – Commitment of Development Funding

Dear Ms. Gamble,

Please accept this correspondence as a Commitment of Development Funding by a Local Political Subdivision as referenced in the Qualified Allocation Plan under Section 11.9(d)(2). As per the requirement stipulated in this Section, the City of Harlingen hereby commits to provide a grant, fee, waiver or development related services equal in value to $500.00 in support of the proposed development Rayo Del Sol Terrace.

Sincerely,

By: ____________________________
Name: ____________________________
Title: ____________________________

"Recipient of Keep Texas Beautiful Governor's Achievement Award"  
118 E. Tyler ★ P.O. Box 2207 ★ Harlingen, Texas 78551
RESOLUTION NO. 2020 _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARLINGEN, TEXAS SUPPORTING THE PROPOSED DEVELOPMENT OF RAYO DEL SOL TERRACE HOUSING COMMUNITY; PROVIDING AN IN-KIND CONTRIBUTION FOR SUCH DEVELOPMENT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Rayo del Sol Terrace, Ltd. Has proposed a development for affordable rental housing at the southwest corner of Grimes Avenue and Sunshine 77 named Rayo del Sol Terrance (the “Development”) in Harlingen, Texas; and

WHEREAS, Rayo del Sol Terrace, Ltd. Has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for Competitive 9% Housing Tax Credits for Rayo del Sol Terrance; and

IT IS HEREBY:

RESOLVED, that the City of Harlingen, acting through its governing body (the “City”) hereby confirms that it supports the proposed Rayo del Sol Terrance at the southwest corner of Grimes Avenue and Sunshine 77 as identified in application #20135 and that this formal action has been taken to put on record the opinion expressed by the City of Harlingen on the _____ day of _________, 2020; and

RESOLVED, that the City of Harlingen commits to an in-kind contribution to the Development in the form of a loan, grant, reduced fee or contribution of other value for the benefit of the Development in the amount of $500.00; an

FURTHER RESOLVED, that on behalf of the City of Harlingen, Chris Boswell, Mayor, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

CONSIDERED AND ADOPTED this 19th day of February, 2020 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
February 11, 2020

Mayor Chris Boswell
City of Harlingen Commissioners
City of Harlingen
118 East Tyler
Harlingen, Texas 78550

Re: 2020 Housing Tax Credit Development in Harlingen, Cameron County, Texas

Dear Mayor and Commissioners,

Brownstone Affordable Housing, Ltd. is proposing to develop a rental housing community of 99 units within the City of Harlingen, Texas. This new mixed-income development will target the city and county’s family/general housing population. The following is a summary of the proposed housing development and request for support.

I. Proposed Development: Rayo del Sol Terrace

Rayo del Sol Terrace will be a family apartment community comprised of no more than 99 units. The approximate 6-acre site is located at the southwest corner of Grimes Ave and Sunshine/77. As currently modeled, Rayo del Sol Terrace will consist of 45 1-bedroom/1-bath units, 42 2-bedroom/2-bath units, and 12 3-bedroom/2-bath units that will appeal to various income levels.

Rayo del Sol Terrace will comply with all applicable accessibility standards and the Development Team plans to affirmatively market to family tenants through direct marketing. The proposed development will include common and unit amenities that are tailored to meet the needs of its residents.
The common amenities may include:

- full perimeter fencing
- gazebo w/sitting area
- furnished fitness center
- business center and mail room
- furnished community center with enclosed community shade porch
- green amenities that promote energy and water conservation
- entertainment areas
- barbeque grills
- outdoor recreation areas
- library and computer room
- laundry room

The unit amenities may include:

- covered entries
- nine foot ceilings in the living room and all bedrooms
- ceiling fixtures in all rooms
- ceiling fans in bedrooms
- laundry connections
- storage rooms and closets
- covered patios
- high speed internet connections to all units
- energy star or equivalently rated kitchen appliances
- microwave ovens
- self-cleaning ovens
- refrigerators with icemakers

The estimated total cost of the development will be approximately $16,800.000.

II. Incomes of the Development

The income levels for the rent-restricted units are based on the area medium income (AMI) in the McAllen area. The development contains set-asides for a variety of income levels that may include 30% AMI, 50% AMI, 60% AMI as well as Market Rate (non-income restricted) units. The units will rent based on the following:
Unit Distribution by Income Level (Proposed)

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>30% AMI</td>
<td>10</td>
</tr>
<tr>
<td>50% AMI</td>
<td>19</td>
</tr>
<tr>
<td>60% AMI</td>
<td>62</td>
</tr>
<tr>
<td>Market Rate</td>
<td>8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Net Rents by AMI</th>
<th>1 Bedroom</th>
<th>2 Bedroom</th>
<th>3 Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>30% AMI</td>
<td>$275</td>
<td>$326</td>
<td>$372</td>
</tr>
<tr>
<td>50% AMI</td>
<td>$495</td>
<td>$591</td>
<td>$678</td>
</tr>
<tr>
<td>60% AMI</td>
<td>$605</td>
<td>$723</td>
<td>$830</td>
</tr>
<tr>
<td>Market Rate</td>
<td>$725</td>
<td>$825</td>
<td>$925</td>
</tr>
</tbody>
</table>

Estimated Income Level Limits

<table>
<thead>
<tr>
<th>AMI %</th>
<th>1 PERSON</th>
<th>2 PERSON</th>
<th>3 PERSON</th>
<th>4 PERSON</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>$12,330</td>
<td>$14,100</td>
<td>$15,870</td>
<td>$17,610</td>
</tr>
<tr>
<td>50</td>
<td>$20,550</td>
<td>$23,500</td>
<td>$26,450</td>
<td>$29,350</td>
</tr>
<tr>
<td>60</td>
<td>$24,660</td>
<td>$28,200</td>
<td>$31,740</td>
<td>$35,220</td>
</tr>
</tbody>
</table>

III. Experience of the Developer:

Brownstone is a family-owned and operated real estate development group that was formed in 1971 by William L. ("Bill") Brown. Over the past 40 years Bill's affiliated companies have planned, developed and constructed over 16,000 housing units. Over 10,000 of those units have been developed in partnership with Bill's three sons (Jed, Doak & Wil) since 2005.

The Brown family members have worked diligently to create a team of real estate professionals for development and construction. Brownstone is served by capable project managers, construction managers, project superintendents, and office staff. The complete group of partners, employees and consultants bring extensive experience and broad knowledge to the Brownstone team. Brownstone intends to use these relationships and quality design in the creation and construction of Rayo del Sol Terrace.
IV. Support Request:

The Development Team will form a limited partnership called Rayo del Sol Terrace, Ltd. We will be submitting an application to the Texas Department of Housing and Community Affairs ("TDHCA") for an allocation of 2020 9% housing tax credits in connection with the proposed development of Rayo del Sol Terrace. The tax credit applications are due into TDHCA on or before 2/28/2020. TDHCA is the agency in Texas that administers several federally funded housing programs including the housing tax credit program. The tax credit application and selection process for housing tax credits is highly competitive. The application process is point based. Those applications receiving the highest score, by region, are awarded the housing tax credits.

Important point-based categories in the application scoring process include both a commitment of support from the municipality and a small contribution of value for the benefit of the development that is confirmed in a brief letter. The commitment of support can be a simple resolution or letter (See attached). The contribution is required to have a minimum of $500 in value, and is typically done in a waiver of a portion of permit fees.

Ultimately, the Brownstone development team appreciates the opportunity to submit this project summary and support request, and looks forward to working with the City of Harlingen in developing a quality housing development in the community.

Sincerely,

Jed A. Brown
President
The Brownstone Group, Inc.
jed@thebrownstonegroup.net
6517 Mapleridge
Houston, Texas 77081
713.432.7727 office
956.286.7200 mobile
Since 2005, the Brownstone Companies have contracted for more than one billion dollars' worth of residential developments throughout Texas and the Southeast, consisting of 70 developments surpassing 10,000 units.
RESIDENTIAL COMMUNITIES

The following is a list of developments that Brownstone has been a part of since 2005. The below list of developments are either completed, under construction, or in the pre-development phase.

### Completed

<table>
<thead>
<tr>
<th>Development Name</th>
<th>Financing</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Diego Creek Apartments (72 Units) Alice, TX</td>
<td>LIHTC</td>
</tr>
<tr>
<td>San Gabriel Senior Village (100 Units) Georgetown, TX</td>
<td>LIHTC</td>
</tr>
<tr>
<td>Easterling Village (48 Units) Alice, TX</td>
<td>LIHTC</td>
</tr>
<tr>
<td>Thomas Ninke Senior Village (80 Units) Victoria, TX</td>
<td>LIHTC</td>
</tr>
<tr>
<td>Retama Village (128 Units) McAllen, TX</td>
<td>Mixed Finance – LIHTC &amp; Public Housing</td>
</tr>
<tr>
<td>Gulfbreeze Plaza II (148 Units) Port Arthur, TX</td>
<td>CDBG</td>
</tr>
<tr>
<td>Bluebonnet Senior Village (36 Units) Alamo, TX</td>
<td>LIHTC</td>
</tr>
<tr>
<td>Retama Village Phase II (74 Units) McAllen, TX</td>
<td>Mixed Finance – LIHTC &amp; Public Housing</td>
</tr>
<tr>
<td>Sunset Terrace (100 Units) Pharr, TX</td>
<td>Mixed Finance – LIHTC &amp; Public Housing</td>
</tr>
<tr>
<td>Bluffs Landing Senior Village (144 Units) Round Rock, TX</td>
<td>LIHTC &amp; HOME</td>
</tr>
<tr>
<td>Gulfbreeze Plaza I (86 Units) Port Arthur, TX</td>
<td>CDBG – Public Housing</td>
</tr>
<tr>
<td>Creekside Villas (144 Units) Buda, TX</td>
<td>LIHTC &amp; HOME</td>
</tr>
<tr>
<td>Villas at Beaumont (36 Units) McAllen, TX</td>
<td>LIHTC</td>
</tr>
<tr>
<td>Pearland Senior Village (126 Units) Pearland, TX</td>
<td>LIHTC, TCAP &amp; HOME</td>
</tr>
<tr>
<td>Parkview Terrace (100 Units) Pharr, TX</td>
<td>Mixed Finance – Exchange &amp; Public Housing</td>
</tr>
<tr>
<td>Heights at Corral (80 Units) Kingsville, TX</td>
<td>Mixed Finance – Exchange &amp; Public Housing</td>
</tr>
<tr>
<td>Belmont Senior Village (192 Units) Leander, TX</td>
<td>LIHTC, TCAP &amp; HOME</td>
</tr>
<tr>
<td>Citrus Gardens (148 Units) Brownsville, TX</td>
<td>LIHTC &amp; Section 8</td>
</tr>
<tr>
<td>Casa Ricardo (60 Units) Kingsville, TX</td>
<td>LIHTC &amp; HOME</td>
</tr>
<tr>
<td>Merrit Lakeside (176 Units) Schertz, TX</td>
<td>LIHTC &amp; HOME</td>
</tr>
<tr>
<td>Shiloh Crossing (156 Units) Laredo, TX</td>
<td>Market Rate &amp; 221(d)4</td>
</tr>
<tr>
<td>Braeburn Village (140 Units) Houston, TX</td>
<td>LIHTC</td>
</tr>
<tr>
<td>Gary Street Village (35 Units) Winnsboro, LA</td>
<td>LIHTC &amp; HOME</td>
</tr>
<tr>
<td>Aeolian Senior Apartments (60 Units) Vicksburg, MS</td>
<td>LIHTC &amp; Historic Tax Credits</td>
</tr>
<tr>
<td>Blooms Apartments (30 Units) Tallulah, LA</td>
<td>LIHTC, HOME, &amp; Historic Tax Credits</td>
</tr>
<tr>
<td>The Reserve at Traditions (240 Units) Bryan, TX</td>
<td>Market Rate – Conventional Financing</td>
</tr>
<tr>
<td>Property Name</td>
<td>City, State</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>Merritt Legacy (208 Units)</td>
<td>Leander, TX</td>
</tr>
<tr>
<td>Carr Central Apartments (72 Units)</td>
<td>Vicksburg, MS</td>
</tr>
<tr>
<td>Gulf Coast Arms (160 Units)</td>
<td>Houston, TX</td>
</tr>
<tr>
<td>Elm Street Village (34 Units)</td>
<td>Tallulah, LA</td>
</tr>
<tr>
<td>River Bank Village (152 Units)</td>
<td>Laredo, TX</td>
</tr>
<tr>
<td>Canton Village (80 Units)</td>
<td>Canton, TX</td>
</tr>
<tr>
<td>Austin Village (30 Units)</td>
<td>Bastrop, LA</td>
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<tr>
<td>La Esperanza Del Rio (60 Units)</td>
<td>Rio Grande City, TX</td>
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<tr>
<td>Preston Apartments (40 Units)</td>
<td>Magnolia, AR</td>
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<tr>
<td>Cibolo Crossing (236 Units)</td>
<td>Laredo, TX</td>
</tr>
<tr>
<td>La Esperanza Del Alton (80 Units)</td>
<td>Alton, TX</td>
</tr>
<tr>
<td>Sunset Terrace Senior Village (80 Units)</td>
<td>Pharr, TX</td>
</tr>
<tr>
<td>Madison Oaks (60 Units)</td>
<td>Winnboro, TX</td>
</tr>
<tr>
<td>Hawthorne at Traditions (156 Units)</td>
<td>Bryan, TX</td>
</tr>
<tr>
<td>Hawthorne at Pasadena (294 Units)</td>
<td>Pasadena, TX</td>
</tr>
<tr>
<td>Henderson Village (80 Units)</td>
<td>Henderson, TX</td>
</tr>
<tr>
<td>Merritt Hill Country (80 Units)</td>
<td>Dripping Springs, TX</td>
</tr>
<tr>
<td>Casa Verde (152 Units)</td>
<td>Laredo, TX</td>
</tr>
<tr>
<td>Legacy at Lake Charles (268 Units)</td>
<td>Lake Charles, LA</td>
</tr>
<tr>
<td>Taylor Senior Village (112 Units)</td>
<td>Mission, TX</td>
</tr>
<tr>
<td>Canton High Apartments I and II (80 Units)</td>
<td>Canton, MS</td>
</tr>
<tr>
<td>Liberty Village (124 Units)</td>
<td>Edinburg, TX</td>
</tr>
<tr>
<td>Nash Senior Village (100 Units)</td>
<td>Nash, TX</td>
</tr>
<tr>
<td>Whitehouse Senior Village (72 Units)</td>
<td>Whitehouse, TX</td>
</tr>
<tr>
<td>Ariza Apartments (266)</td>
<td>College Station, TX</td>
</tr>
<tr>
<td>Lake Park Townhomes (247 Units)</td>
<td>Pearland, TX</td>
</tr>
<tr>
<td>Merritt Heritage (244 Units)</td>
<td>Georgetown, TX</td>
</tr>
<tr>
<td>Lumberton Senior Village (56 Units)</td>
<td>Lumberton, TX</td>
</tr>
<tr>
<td>Merritt Monument (104 Units)</td>
<td>Odessa, TX</td>
</tr>
<tr>
<td>Legacy South (212 Units)</td>
<td>Gonzales, LA</td>
</tr>
<tr>
<td>Garden Valley (213 Units)</td>
<td>Waxahachie, TX</td>
</tr>
</tbody>
</table>
Reserve at Pinewood (190 Units) Port Arthur, TX
Somerset Lofts (120 Units) Houston, TX
Las Palomas (122 Units) McAllen, TX
Lancaster Senior Village (144 Units) Houston, TX
Blanco Riverwalk (252 Units) San Marcos, TX
Ariza Corpus Christi (286 Units) Corpus Christi, TX
Willow Creek Manor (128 Units) Alvin, TX
Livingston Village (80 Units) Livingston, TX
Clift Farms (273 Units) Huntsville, AL
Senior Living at Rockwall (144 Units) Rockwall, TX
San Juan Mission Villas (102 Units) San Antonio, TX
Alders at Magnolia (184 Units) Magnolia, TX
Poinsettia Gardens (150 Units) Brownsville, TX
Windmill Ranch (326 Units) Odessa, TX
Hawthorne at Bay Forest (294 Units) La Porte, TX
Jackson Apartments (120 Units) McAllen, TX
South Rice Apartments (115 Units) Houston, TX

Market Rate & 221(d)4
LIHTC
LIHTC
LIHTC
Market Rate Conventional Financing
Market Rate Conventional Financing
CDBG - Disaster Recovery
CDBG - Disaster Recovery
Market Rate Conventional Financing
Market Rate & 221(d)4
LIHTC
Market Rate Conventional Financing
LIHTC
Market Rate Conventional Financing
Market Rate Conventional Financing
LIHTC
LIHTC
Las Palomas (122 Units) McAllen, TX/Completed 2019
Bloom's Apartments (30 Units) Tallulah, LA / Completed 2013 (Historic Rehab)
Casa Verde (152 Units) Laredo, TX/Completed 2018
Taylor Senior Village (112 Units) Mission, TX/Completed 2018