CITY COMMISSION
AGENDA
SEPTEMBER 4TH, 2019
@ 5:30 P.M.
CITY HALL, TOWN HALL
118 E. Tyler Street
Harlingen, Texas

Notice is hereby given that the above governmental body will hold a Regular Meeting on Wednesday, September 4th, 2019 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/City Commissioner Ruben De La Rosa

Pledge of Allegiance/Welcome

1) Proclamation – proclaiming September 17-23, 2019 as “Constitution Week”

2) Presentation on Status of Ongoing Drainage Projects. (Public Works)

3) Approval of Minutes
   a) Special Meeting of June 24, 2019
   b) Regular Meeting of August 7, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

4a) Second and final reading of Ordinance No. 16-34 amending Exhibit “A”, School Zone Areas, to add a school zone along Stuart Place Rd. and Business Highway 83 adjacent to Stuart Place Elementary School, and add Page 27 establishing a new school zone on S. Palm Court Dr. adjacent to the Jubilee Academy. Attachment (Public Works)

b) Consideration and possible action to approve a request from the Rotary Shrimp Fest of South Texas, Inc. to close Jackson Avenue from 1st Street to Commerce Street and “A” Street from Van Buren to Monroe Avenue from 2 a.m. to 11:59 p.m. for their 2020 Shrimp Fest Event on Saturday, March 28, 2020 at the Lozano Park from 5:00 p.m. to 9:00 p.m. Attachment (Police Dept.)
c) Consideration and possible action to approve a request from the Immaculate Heart of Mary Catholic Church to close South "C" Street between Polk Street and Tyler Avenue, Friday, October 4, 12:00 noon to begin setting up thru midnight, Sunday, October 6th, 2019 for their Annual Fiesta de Amistad. Attachment (Police Dept.)

d) Consideration and possible action to approve a request from the Harlingen Housing Authority to close North 24th Street from East Palm Blvd. to Briar Avenue within the LeMoyne Gardens Housing Complex from 1:00 p.m. to 7:00 p.m., Thursday, October 17, 2019 for their Community Fall Festival. Attachment (Police Dept.)

5) Presentation by Hill Top Security regarding refinancing opportunities for the City of Harlingen. (City Manager)

6) Consideration and possible action to approve an ordinance on first reading by record vote adopting the 2019 Ad Valorem Tax Rate for Maintenance and Operation for Fiscal Year 2019-2020. Attachment (Finance)

7) Consideration and possible action to approve an ordinance on first reading by record vote adopting the 2019 Ad Valorem Tax Rate for the Interest and Sinking Fund for Fiscal Year 2019-2020. Attachment (Finance)

8) Consideration and possible action to approve an ordinance on first reading adopting the City of Harlingen's Budget for Fiscal Year 2019-2020. Attachment (Finance)

9) Consideration and possible action to approve a resolution accepting the Downtown Improvement District Budget for Fiscal Year 2019-2020. Attachment (Finance)

10) Consideration and possible action to approve the selection of External Auditing Services. Attachment (Finance)

11) Consideration and possible action to award the Banking Service Contract. Attachment (Finance)

12) Consideration and possible action to approve a resolution accepting Valley International Airport Proposed Budget for Fiscal Year 2019-2020. Attachment (Airport)

13) Consideration and possible action to approve an ordinance on first reading to amend the City of Harlingen Code of Ordinances, Chapter 109 (Subdivisions), Article V, Standards and Specifications, Section 109-124(F) Sidewalks, to require sidewalks on local streets and perimeter streets. Applicant: City of Harlingen. Attachment (Planning & Zoning)

14) Consideration and possible action to approve the preliminary and final plat of the proposed Sun Country Subdivision with conditions and consider a variance request for the perimeter streets sidewalk requirements as per Section 109-124(f)(5), bearing a legal description of 38.202 acres of land out of Block 13, Harlingen Land and Water Company Subdivision "C", located on the north side of LaFayette Ave, west of Chester Park Road. Applicant: Ariel Chavez of CADCon Corp., c/o Beatriz Castellanos. Attachment (Planning & Zoning)

15) Consideration and possible action to approve the naming of the mountain bike trail as "Henry Roberts Loop" in memory of Mr. Henry Roberts. Attachment (Parks & Recreation)
16) Consideration and possible action to authorize the Harlingen Police Department to auction off a total of eight (8) motor vehicles, one (1) trailer, and two (2) generators using the GovDeals.com auction website. Attachment (Police Dept.)

17) Board Appointments

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

a. Airport Board
b. Animal Shelter Advisory Committee (2)
c. Audit Committee (1) (Terms expire annually in June)
d. Civil Service Commission (1)
e. Community Development Advisory Board (2)
f. Construction Board of Adjustments (5)
g. Convention & Visitors Bureau (3)
h. Development Corporation of Harlingen, Inc.
i. Downtown Improvement District Board (3)
j. Golf Course Advisory Board (1)
k. Harlingen Community Improvement Board (2)
l. Harlingen Housing Authority Board
m. Harlingen Finance Corporation (5)

n. Keep Harlingen Beautiful Board (3)
o. Library Advisory Board
p. Mayor Wellness Council
q. Museum Advisory Board (4)
r. Parks Advisory Board
s. Planning & Zoning Advisory Board (1)
t. Senior Citizens Advisory Board (3)
u. Tax Increment Finance Board (7)
v. Utility Board of Trustees
w. Veterans Advisory Board (0)
x. Zoning Board of Adjustments (6)
y. Complete Census Committee

Specifically, appointment or discussion and possible action to include appointment and/or removal of any position subject to appointment or removal by statute, ordinance, or bylaws.

18) Executive/Closed Session pursuant to the Texas Gov't Code, Section §551.071(2) to receive legal advice regarding certain bills of the 86th Texas Legislature affecting the Texas Open Meetings Act. (City Manager)

19) Citizen Communication

I, the undersigned authority, do hereby certify that the above notice of meeting is a true and correct copy of said notice posted on the City's bulletin board, City Hall, 118 E. Tyler Avenue, a place convenient and readily accessible to the general public at all times and said notice was posted on Friday, August 30th, 2019 at 3:00 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 30th day of August, 2019

Amanda C. Elizondo, City Secretary
Proclamation

Office of the Mayor

WHEREAS: The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS: September 17, 2019, marks the two hundred thirtieth second anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23, 2019 as Constitution Week,

NOW, THEREFORE, I, Chris Boswell, Mayor of the City of Harlingen, Texas do hereby proclaim the week of September 17 through September 23, 2019 as

"CONSTITUTION WEEK"

in the City of Harlingen and do hereby ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Harlingen to be affixed this 4th day of September, 2019.

City of Harlingen

Chris Boswell, Mayor

Attest:

Amanda C. Elizondo, City Secretary
SPECIAL MEETING

CITY COMMISSION

HARLINGEN, TEXAS

JUNE 24, 2019

A Special Meeting of the Harlingen Elective Commission was held June 24, 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

Chris Boswell, Mayor
Michael Mezmar, Mayor Pro-Tem, District 3
Richard Uribe, City Commissioner, District 1
Frank Puente, District 2
Ruben De La Rosa, District 4
Victor Leal, City Commissioner, District 5

STAFF PRESENT

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

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

1) Public hearing and possible action to approve the One Year Action Plan (Budget) for Fiscal Year 2019-2020 (Year 45) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2019-2020 (Year 25) of the Home Investment Partnerships Program (Home).

Tammy Jackson, Community Development Director, stated the approved current Consolidated Plan and Strategy (CPS) is based on HUD's national objectives which provide decent housing, create suitable living environments, and expand economic opportunities to benefit low to moderate income persons. The City is required to prepare a One-Year Action Plan outlining objectives, outcomes, and indicators for each activity prior to receiving Community Development Block Grant (CDBG) and HOME Funds for Fiscal Year 2019-2020. Provided that the required national objectives and other HUD requirements are met with consideration given to HUD's priorities of:

1. Increasing homeownership and improving existing housing for extremely low income persons;
2. Ending homelessness; and
3. Promoting economic development through the creation of jobs and/or businesses

The Community Development Advisory Board and staff reviewed and evaluated the applications, held public hearings, workshops, and provided an opportunity for each applicant to present their requests to the Community Development Advisory Board. This year's CDBG estimated allocation is $903,660.00 (an increase of $59,472.00) and the HOME Program allocation is $297,943.00 (a decrease of $20,185.00). The board unanimously approved the allocations as presented.
Lupita Munoz and George McShan, board members did not participate in the funding recommendation of Boys & Girls Club, and Daniel Lopez, board member did not participate in the funding recommendation for the Clearance & Demolition Program due to a conflict of interest.

Mrs. Jackson highlighted the following information.

C.D.B.G. AND HOME FUNDS
PROPOSED 2019-2020 ONE YEAR ACTION PLAN BUDGET

C.D.B.G. Allocation $903,660.00
HOME Allocation 297,943.00
Anticipated CDBG Program Income
(From Rehabilitation Assistance Loans to City) 35,912.14
Anticipated CDBG Program Income (loans paid to HCDC) 12,145.23
Combined Total Allocations $1,249,660.37

PROPOSED PROJECTS

03F – Parks, Recreation Facilities – Hunter Park Improvements $150,929.00
03K – Public Facilities – Street Improvements (Los Vecinos area) 123,449.00
04 – Clearance & Demolition 57,050.00
05A – Public Services (Seniors) Amigos Del Valle 13,500.00
05A – Public Services (Seniors) Area Agency on Aging 5,000.00
05D – Public Services (Youth) Boys & Girls Club 55,000.00
05N – Public Services (Abused Children) CASA 15,000.00
05N – Public Services (Abused Children) Family Crisis Center 12,000.00
05M – Public Services (Health) Sunshine Haven 18,000.00
05M – Public Services (Health) Planned Parenthood 16,500.00
14A – Housing Rehabilitation Program 214,500.00
14H – Housing Rehabilitation Administration 42,000.00
21A – General Administration 180,732.00
Total CDBG Funding 903,660.00
12 - HOME-Affordable Housing Programs (Habitat for Humanity) 90,000.00
12/13B - HOME-Affordable Housing Programs (CITY) 133,543.00
12 - HOME-CHDO Set-Aside 44,700.00
21H - HOME-Administrative Support 29,700.00
Total HOME Funding 297,943.00
14A – CDBG Housing Rehabilitation (anticipated program income) 35,912.14
12 – CDBG Construction of Housing (anticipated program income) 12,145.23
Total Anticipated CDBG Program Income 48,057.37
Total Anticipated Funding $1,249,660.37

Mayor Boswell announced this was public hearing and anyone wishing to speak for or against this item could do so.

Comments were heard from Stephanie Dominguez, Lindsey Garcia, Cecilia Del Angel, Denise Dominguez and Paula Saldana in favor of funding the Planned Parenthood because their clients were not financially capable of securing medical insurance and could not afford to pay for medical visits at a regular clinic. They highlighted some of the services that they provided and stated that Planned Parenthood did not perform abortions at their clinic.

Comments were also heard from Wayne Lowry, Steve Jennings, Ron Lozano, and Mary Garcia who spoke against the funding for Planned Parenthood because they believed that Planned Parenthood administered abortions.
A short discussion was held regarding the comments made on the funding for Planned Parenthood and Commissioner Leal moved to modify the Proposed 2019-2020 One Year Action Plan Budget to not fund the Planned Parenthood and allocate the $16,500 to Public Facilities – Street Improvements (Los Vecinos area).

Motion was seconded by Mayor Pro-Tem Mezmar.

Commissioner Uribe suggested funding the Boys & Girls Club the extra $5,000 and the remaining balance to the Family Crisis Center, instead for street improvements because it would have a bigger impact. Allocating the $16,500 to street improvement would probably not make much of a difference because of the unknown impact that it would have on the streets.

Commissioner Leal stated that Family Crisis Center requested $12,000 and this allocation was in the proposed one year action plan for $12,000.

Commissioner Uribe suggested spending the $16,500 on the small accounts with a lesser request amount.

Mayor Boswell stated the allocation for the Boys & Girls Club is less by $5,000 for the proposed year plan, they could consider allocating the difference of $5,000 and the remaining balance could be distributed among other projects.

Motion was made by Commissioner Leal to amend his first motion to allocate the difference of $5,000 to the Boys & Girls Club and the remaining balance of $11,500 to the Street Improvement. Motion was seconded by Commissioner Uribe and it carried unanimously.

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

City of Harlingen

__________________________
Chris Boswell, Mayor

ATTEST:

__________________________
Amanda C. Elizondo, City Secretary
REGULAR MEETING

CITY COMMISSION

August 7, 2019

HARLINGEN, TEXAS

A Regular Meeting of the Harlingen City Commission was held August 7, 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
Mayra Hererra, Asst. City Secretary
Alison Bastian, Asst. City Attorney

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

Invocation/ Mayor Chris Boswell

Pledge of Allegiance/Welcome

1) Presentation of a Recognition Plaque to the Community Emergency Response Team (CERT).

Mayor Boswell presented a recognition plaque to Mr. Bill Snyder and several members of the Community Emergency Response Team (CERT). He stated CERT has been in operation for over seven years and consist of 40 active members from the Cities of Harlingen and La Feria. The organization is composed of citizens of the community that have a common interest in helping the public in improvement projects as well as assisting during and after a disaster. Mayor Boswell expressed his appreciation and thanked them for their commitment and dedication to serve the public.

2) Approval of Minutes

a) Regular Meeting of May 15, 2019
b) Special Meeting of July 2, 2019

Motion was made by Commissioner Puente and seconded by Mayor Pro-Tem Mezmar to approve the minutes of May 15, and July 2, 2019. Motion carried unanimously.

3a) Second and final reading to approve and adopt an ordinance designating a "No Parking Zone" on Briar Avenue on the south side of the street extending 100 ft. from the intersection with 25th Street.
b) Second and final reading to approve and adopt an ordinance designating a "No Parking Zone" on Rangerville Road from the intersection with Knox Avenue extending 100 ft. on the south side of the street on either side of Knox Avenue.

c) Second and final reading to approve an ordinance for a Specific Use Permit ("SUP") to allow an adult business (vape shop) in a General Retail ("GR") District located at 616 Ed Carey Drive, bearing a legal description of Lot 8, Southpoint Subdivision No. 1, Applicant: Mario A. Cardenas, Jr.

d) Consideration and possible action to approve an Industrial District Agreement between the City of Harlingen and Peterson Jay Trustee of the Jay Peterson Irrevocable Trust and authorize the Mayor to sign the agreement.

e) Consideration and possible action to approve a refund of property taxes paid by Lereta on behalf of Danny & Criselda Cantu, Acct. #98-1045-0010-0170-00 in the amount of $537.43 due to a prorated disabled veteran's exemption for Year 2018.

f) Consideration and possible action to approve a refund of property taxes paid by Robert A. and Linda Little, Acct. #98-1923-0020-0160-00 in the amount of $1,019.51 due to a prorated disabled veteran's exemption for Year 2018.

g) Consideration and possible action to approve the preliminary and final replat of the proposed Replat of Pelican's Peak Re-Subdivision, being 1.230 acres of land out of Lots 1-2, Block 1, Pelican's Peak Re-Subdivision, located on the west side of Ed Carey Drive, south of Sesame Drive. Applicant: Michael Wood of Southpoint Texas Surveying, LLC, c/o VIA Real Estate.

h) Consideration and possible action to approve a request from the Harlingen Convention and Visitors Bureau to close the following streets from 10:00 a.m. to 11:00 p.m., Saturday, August 24, 2019 for their Blues on the Hill Back to School Event.

- Fair Park Blvd. between North "J" Street and North "L" Street; and
- North "L" Street to West Adams Avenue

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to approve the Consent Agenda, Items 3 (a thru h). Motion carried unanimously.

4) Consideration and possible action to authorize the City Manager to accept the Texas Division of Emergency Management (TDEM) sub-grant for the Hazard Mitigation Grant Program under award identification number 4266-014 and provide the matching funds for Phase II of the 9th & 13th Street Drainage Improvement Project (System 005).

Carlos A. Sanchez, Asst. City Manager stated the City of Harlingen is a sub-grant award recipient under the Hazard Mitigation Grant Program with the Federal Emergency Management Agency (FEMA) for the 9th and 13th Street Drainage Improvement Project (System 005). The grant is administered by the Texas Department of Emergency Management (TDEM). Phase 1 was approved June 18, 2018 for engineering (100% design), survey, geotechnical analysis, and hydraulic/hydrology study to determine if the project would be eligible for construction, Phase II funding. The award for Phase I was $123,937 with a Federal cost share of 75% ($92,963) and a local share of 25% ($30,984). Terms and conditions of the award, limits FEMA's funding up to $1,204,715 for the entire project. The engineering analysis has been completed and meets FEMA's criteria to proceed with Phase II which consists of the
construction. The engineer’s cost is estimated at $2,734,948.50 and the City would be required
to fund the difference of approximately $1,656,087.50. Any additional cost incurred during the
construction phase would be the City’s responsibility.

A brief discussion was held regarding the projected cost; were the funds allocated in the
coming budget and would the City Commission be asked to authorize this amount of funds
without reviewing the proposed budget for FY 2019-2020.

Mr. Dan Serna, City Manager, stated the funds were projected in next year’s budget.
This project is on the Master Drainage Plan and recommended the City should proceed with it.

Motion was made by Commissioner Leal and seconded by Commissioner Uribe to
authorize the City Manager to accept the Texas Division of Emergency Management (TDEM)
sub-grant for the Hazard Mitigation Grant Program under Award Identification Number 4266-
014 and provide the matching funds for Phase II of the 9th & 13th Street Drainage Improvement
Project (System 005). Motion carried unanimously.

5) Consideration and possible action to approve a three (3) party inter-local agreement
between the City of Harlingen, Harlingen Irrigation District No. 1, and Cameron County
Drainage District No. 5 to collaborate in a project to improve the conveyance of
storm water along the 13th Street Drainage Ditch and authorize the Mayor to sign the
agreement.

Mr. Sanchez stated the proposed project will provide for the excavation and widening of
the drain ditch that runs parallel to 13th Street from Matz Road north to the North Main Drain
outfall point. The City’s cost for the portion between Matz Rd. north to Montezuma Road would
be $100,550. Cameron County Drainage District No. 5’s cost for the portion north of Montezuma
up to the outfall point would be $58,824 and the Harlingen Irrigation District No. 5 will provide
the labor and material.

Mr. Serna stated once the project is complete, Cameron County Drainage District No. 5
would construct two (2) ponds.

Motion was made by Commissioner Uribe and seconded by Commissioner Leal to
approve a three (3) party inter-local agreement between the City of Harlingen, Harlingen
Irrigation District No. 1, and Cameron County Drainage District No. 5 to collaborate in a project
to improve the conveyance of storm water along the 13th Street Drainage Ditch and authorize
the Mayor to sign the agreement. Motion carried unanimously.

6) Consideration and possible action to approve a three (3) party inter-local agreement
between the City of Harlingen, Harlingen Irrigation District No. 1, and Cameron County
Drainage District No. 5 to collaborate in a project to improve the conveyance of storm
water along the Dixieland Drainage Ditch and authorize the Mayor to sign the
agreement.

Mr. Sanchez stated the proposed project will provide the excavation and widening of the
drain ditch and upgrades at the street crossings. Project limits are from Lincoln Street south
past Dixieland Road and to the Arroyo Colorado. The City’s cost for the portion between Lincoln
Street to the west side of Dixieland Road is $342,194. Cameron County Drainage District No.
5’s cost is $152,390 for the portion from Dixieland Road south to the Arroyo Colorado and the
Harlingen Irrigation District No. 5 will provide the labor and material.
Motion was made by Commissioner Leal and seconded by Commissioner Uribe to approve a three (3) party inter-local agreement between the City of Harlingen, Harlingen Irrigation District No. 1, and Cameron County Drainage District No. 5 to collaborate in a project to improve the conveyance of storm water along the Dixieland Drainage Ditch and authorize the Mayor to sign the agreement. Motion carried unanimously.

7) Public Hearing to solicit comments from the public for or against the adoption of the City of Harlingen Annual Budget for Fiscal Year 2019-2020.

Mayor Boswell announced this was a public hearing and anyone wishing to speak for or against this item could do so.

Comments were heard from Susana Thomas, Ruben Garcia, Bruno Harvey Cooper, J.V. Garcia, Frank Lozano, Elias Torres, Robert Leftwich, Raymond Reyes, Jessica Garcia, and Yolanda Shofflett in opposition of the proposed budget and the proposed tax rate increase of $0.630000 per $100 in value for Fiscal Year 2019-2020. Their concerns were that they could not afford to pay additional taxes due to the most recent flood of June 24, 2019. Residents, who were affected, were financially struggling to rebuild their homes.

There being no other comments, Mayor Boswell closed the public hearing.

8) First Public Hearing to solicit comments from the public for or against the proposed tax rate of $0.630000 per $100 in value for Fiscal Year 2019-2020.

Mayor Boswell announced this was a public hearing and anyone wishing to speak for or against this item could do so.

Comments were heard from Buck Buckley, Yolanda Shofflett, Sue Groves, Robert Leftwich, Enrique Abundiz, Elias Torres, Cristina Guevara, Francisco Medrano Jr., and J.V. Garcia opposing the proposed tax rate of $0.630000 per $100 in value for Fiscal Year 2019-2020. They raised concerns in regards to the proposed tax rate increase and stated that the City should have not invested in the convention center. That the money used to construct the convention center should have been spent to improve the drainage system.

There being no other comments, Mayor Boswell closed the public hearing.

9) Consideration and possible action on approving a reimbursement resolution expressing official intent to reimburse costs of drainage improvements from obligations to be issued by the City of Harlingen.

Gabriel, Gonzalez, Asst. City Manager stated the City is contemplating issuing debt for drainage improvements in an aggregate maximum principal amount estimated not to exceed $4,700,000. The resolution would allow the City to reimburse itself for any costs incurred for drainage improvements prior to the time that the debt is issued. This resolution is not an authorization to issue any debt and does not bind the City to issue debt in the future. The City's financial advisor is looking at the City's financials and will provide information to the staff at a later date regarding the possibility of issuing any debt.

A short discussion was held regarding the reimbursement resolution and the Commissioners asked if they approved the resolution would the City be in debt and if there were bonds for drainage improvements.
Mr. Serna responded at the moment there are no bonds available. If they approve the resolution, it would serve as a document for any future spending on drainage improvements. If the City were to receive bond money for drainage improvement, then the City would be allowed to reimburse the expenses from the issuance of the bond money. Without the resolution, no reimbursement of expenses could be made.

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner Leal to approve the reimbursement resolution expressing official intent to reimburse costs of drainage improvements from obligations to be issued by the City of Harlingen. Motion carried unanimously.

10) Consideration and possible action to adopt a resolution approving the One Year Action Plan (Budget) for Fiscal Year 2019-2020 (Year 45) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2019-2020 (Year 25) of the Home Investment Partnership Program (HOME).

Tammy Jackson, Community Development Director, stated adoption of a resolution was required to comply with HUD regulations. The Proposed Budget for the One Year Action Plan was approved by the City Commission June 24, 2019. A public hearing was held July 11, 2019, by the Community Development Advisory Board to solicit comments related to the plan. If the resolution is approved, the plan will be sent to the Department of Housing and Urban Development. They will review it. If acceptable, HUD will authorize the funding to begin October 1, 2019.

Motion was made by Commissioner Leal and seconded by Commissioner Uribe to adopt the resolution approving the One Year Action Plan (Budget) for Fiscal Year 2019-2020 (Year 45) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2019-2020 (Year 25) of the Home Investment Partnership Program (HOME). Motion carried unanimously.

11) Consideration and possible action to award a loan utilizing Community Development Block Grant funds to provide for the home reconstruction for Mr. Ranulfo Ramirez and Mrs. Elizabeth Ramirez for their home located at 1126 N. Sunset Drive.

Mrs. Jackson stated the Community Development Department provides housing reconstruction financial assistance in the form of loans utilizing HUD funding. This program is designed to execute the demolition of dilapidated or substandard of occupied housing units that are unsuitable for rehabilitation and construct new homes on the same property. The City solicited bids for the reconstruction of a 2 bedroom, 2 bath home. The notice of the bid was sent to the bidders, was published and posted on the City’s website. Notice was sent via email to over 50 companies, 6 companies either picked up or requested a bid packet by email, of which 3 companies replied to notice.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to award a loan utilizing Community Development Block Grant funds to provide for the reconstruction of Ranulfo Ramirez and Elizabeth Ramirez located at 1126 N. Sunset Drive. Motion carried unanimously.

12) Consideration and possible action to adopt an ordinance approving the negotiated resolution between the City of Harlingen and Texas Gas Service regarding the Company’s April 30, 2019 Cost of Service Adjustment filing declaring existing rates to be unreasonable, adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and providing for the recovery of the City’s reasonable and necessary rate case expense.
Mr. Gonzalez stated on April 30, 2019 Texas Gas Service (TGS) Company filed a rate increase pursuant to the Cost of Service Adjustment (COSA) tariff adopted by the Rio Grande Valley Service Area Cities. TGS claimed an entitlement rate relief under the tariff for $2,161,343 on a system-wide basis. Thomas Brocato, Attorney and Karl Nalepa, Consultant were able to secure a reduced tariff of $2,087,516, a reduction of $73,827.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to adopt an ordinance approving the negotiated resolution between the City of Harlingen and Texas Gas Service regarding the Company’s April 30, 2019 Cost of Service Adjustment filing, declaring existing rates to be unreasonable, adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and providing for the recovery of the City’s reasonable and necessary rate case expense. Motion carried unanimously.

13) Consideration and possible action to adopt a resolution finding that AEP Texas, Inc’s requested increase to its electric transmission and distribution rates and charges within the City should be denied and finding that the City’s reasonable rate case expenses shall be reimbursed by the company.

Mr. Gonzalez stated on May 1, 2019 AEP Texas Inc., filed an application with cities retaining original jurisdiction seeking to increase system-wide distribution rates by $38.3 million per year and decrease system-wide transmission rates by $3.16 million per year. Customers in our region will see an increase of $4.75 per month and a decrease of $5.01 for customers in the north region. The City took action to suspend the rate increase for 90 days. AEP will appeal the denials and a rate case appeal hearing will be held at the Public Utilities Commission (PUC) from August 20-23, 2019. The PUC will review all the material presented and make a determination between September and October of this year with the final approved rates to take effect December 20, 2019.

Motion was made by Commissioner Puente and seconded by Commissioner De La Rosa to adopt the resolution finding that AEP Texas, Inc’s requested increase to its electric transmission and distribution rates and charges within the City should be denied and finding that the City’s reasonable rate case expenses shall be reimbursed by the company. Motion carried unanimously.

14) Consideration and possible action to approve a request from the City of Hidalgo to enter into a Sale and Purchase Agreement of brush collection equipment; declare the equipment as surplus property; and authorize the City Manager to execute the agreement and any other related documents.

Mr. Sanchez stated the City of Hidalgo is requesting to purchase the following equipment from the City of Harlingen. The Public Works Sanitation Department recently replaced this equipment. This equipment is listed in the auction list to be auction August 3rd, 2019.

- 42-067-2007 For Hydraulic Stand-up Brush Truck VIN#3FRXF75S77V507353-Sale Price $5,600
- 42-185-2009 Case Loader Model 321E - Serial #N8GP01193 - Sale Price $4,800

Motion was made by Commissioner Uribe and seconded by Mayor Pro-Tem Mezmar to approve the request from the City of Hidalgo to enter into a Sale and Purchase Agreement of brush collection equipment; declare the equipment as surplus property; and authorize the City Manager to execute the agreement and any other related documents. Motion carried unanimously.
15) Consideration and possible action to approve a request from the City of Primera to enter into a Sale and Purchase Agreement of brush collection equipment and authorize the City Manager to prepare and execute all necessary documents.

Mr. Sanchez stated the City of Primera is also requesting the following truck and is listed in the auction list to be auctioned August 3rd, 2019. They are in urgent need of the truck to assist with debris removal from the recent storm and on an ongoing basis. The truck is depreciated and is no longer in use and staff replaced it with a new truck. The recommended sale price is $5,000.
- 42-240-2010 Freightliner Knuckle boom Truck VIN# 1FVHCYBS4ADAN4359 - Sale Price $5,000

Motion was made by Commissioner Uribe and seconded by Commissioner Mezmar to approve the request from the City of Primera to enter into a Sale and Purchase Agreement of brush collection equipment and authorize the City Manager to prepare and execute all necessary documents. Motion carried unanimously.

16) Consideration and possible action to amend the list of streets for the 2018-2019 Street Improvement Program to exclude Haine Street and add Beckham Road to 2018-2019 list.

Rodrigo Davila, Public Works Director stated the City Commission approved FY 2018-2019 Street Repaving Program, August 15, 2018 which included Haine Street. Staff is recommending improving Haine Street until Harlingen Water Works System completes the improvements which could be until December 2019. Earthworks Contractors is scheduled to complete the Street Improvements Project by October 2019. He recommended including Haine Road to the Proposed FY 2019-2020 Street Improvement Program List and adding Beckham Road (Expressway Frontage south to Business 8) to the current list.

Motion was made by Commissioner Leal and seconded by Commissioner Uribe to amend the list of streets for the 2018-2019 Street Improvement Program to exclude Haine Street, add Beckham Road to 2018-2019 List and include Haine Road in the 2019-2020. Motion carried unanimously.

17) Consideration and possible action to approve the proposed list of streets for 2019-2020 Street Improvement Program.

Mr. Davila stated each year the City selects streets that are in need of repairs and overlays them with new asphalt. The repairs consist of overlaying the street with 1.5 to 2.0 inches of asphalt on the existing street to repair surface failures thus extending the life of the street. The streets that are in great need of repairs are reconstructed with a base material and are overlaid. The proposed list of street overlay total approximately 3.54 miles or 9.8 lane miles.

Motion was made by Commissioner Leal and seconded Commissioner De La Rosa to approve the proposed list of streets for 2019-2020 Street Improvement Program. Motion carried unanimously.

18) Consideration and possible action to approve a resolution accepting the disbursement of funds from the Harlingen Economic Development Corporation, Inc. (HEDC) to the Harlingen Community Improvement Board (HCIB) in the amount of $492,500 as part of the gain on the sale of the University Articulation and Career Center to Texas State...
Technical College (TSTC) recognizing HCIB’s financial contribution to the University Articulation and Career Center.

Mr. Gonzalez stated the Economic Development Corporation, Inc. of Harlingen (HEDC) Board of Directors approved a resolution for the disbursement of $492,500 to the Harlingen Community Improvement Board (HCIB) as part of the gain on the sale of the (HEDC’s) interest in the University Articulation and Career Center to Texas State Technical College recognizing (HCIB’s) financial contribution to the University Articulation and Career Center on July 30, 2019.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to approve the resolution accepting the disbursement of funds from the Economic Development Corporation, Inc. of Harlingen to the Harlingen Community Improvement Board of $492,500 as part of the gain on the sale of the University Articulation and Career Center to Texas State Technical College recognizing the Harlingen Community Improvement Board’s financial contribution to the University Articulation and Career Center. Motion carried unanimously.

19) Board Appointments

Commissioner Uribe appointed Daniel Lopez to the Community Development Advisory Board.
Commissioner Mezmar appointed Chris Sias to the Construction Board of Adjustment.

Motion was made by Commissioner De La Rosa and seconded by Commissioner Puente to approve the appointments of Daniel Lopez to the Community Development Advisory Board and Chris Sias to the Construction Board of Adjustment. 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 seek and receive legal advice pertaining to the City’s legal options and to discuss the exchange of real property regarding the implementation of Project Dream.

b) pursuant to Section §551.071(2) and §551.072 of the Texas Government Code to seek and receive legal advice pertaining to the City’s legal options and to discuss the exchange of real property regarding the implementation of Project Development.

c) pursuant to Section §551.071(2) to receive legal advice pertaining to certain provisions contained within the City of Harlingen Convention Center Project Agreement.

d) pursuant to Section §551.071(2) to receive legal advice regarding a potential joint CDBG agreement with Cameron County.

e) pursuant to Section §551.071(2) to receive legal advice pertaining to negotiations regarding the Cameron County Emergency Services District agreement renewal.

f) pursuant to 551.071(1) attorney client consultation to seek legal advice as to the City’s legal duties, rights, and obligations regarding Fire Department bunker gear claim.
At 7:32 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item 20 (a, b, c, d, e & f).

Motion was made by Commissioner De La Rosa and seconded by Commissioner Puente to convene into executive session to discuss Item No. 20 (a, b, c, d, e & f). Motion carried unanimously.

At 8:17 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 to authorize the City Manager to negotiate the exchange of property along Tennessee Street with UTRGV. Item No. 20 (a).

Dan Serna, City Manager, recommended exchanging the property with EDC from Project Dream with the property of Project Development as discussed in Executive Session.

Motion was made by Commissioner Leal and seconded by Commissioner Uribe to accept the exchange of property with EDC from Project Dream with the property of Project Development as discussed in Executive Session. Motion carried unanimously.

22) Consideration and possible action to approve Item No. 20 (b) as discussed in executive session.

Mayor Boswell stated that the action taken on Item No. 21 took care of Item No. 22 and announced that there would be no action on the following items No. 23 thru 26.

23) Consideration and possible action to approve Item No. 20 (c) as discussed in executive session.

24) Consideration and possible action to approve Item No. 20 (d) as discussed in executive session.

25) Consideration and possible action to approve Item No. 20 (e) as discussed in executive session.

26) Consideration and possible action to approve Item No. 20 (f) as discussed in executive session.

27) Citizen Communication

None

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

City of Harlingen

Chris Boswell, Mayor

ATTEST:

Mayra Herrera, Asst. City Secretary
ORDINANCE NO. 19 -

AN ORDINANCE AMENDING NO. 16-34, EXHIBIT "A", SCHOOL ZONE AREAS, PAGE 20 TO ADD SCHOOL ZONE ALONG STUART PLACE RD AND BUS. 83 ADJACENT TO STUART PLACE ELEMENTARY, AND THE ADDITION OF PAGE 27 ESTABLISHING A NEW SCHOOL ZONE ON S. PALM COURT DRIVE ADJACENT TO JUBILEE ACADEMY, REGARDING SCHOOL ZONES SPEED LIMITS, AND DESIGNATING SCHOOL ZONES, ADOPTING MANUAL OF UNIFORM TRAFFIC CONTROL DESIGN (MUTCD) STANDARDS, ESTABLISHING A 20 MPH SPEED LIMIT IN ALL SCHOOL ZONES; ESTABLISHING DAYS AND TIMES OF OPERATIONS; AND ESTABLISHING A FINE NOT TO EXCEED $200.00 FOR VIOLATION OF THE PROVISIONS HEREOF; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

BE IT ORDAINED BY THE CITY OF HARLINGEN:

SECTION I: That Exhibit "A" School Zone Areas, Page 20 and the addition of Page 27 of Ordinance No. 16-34 is hereby amended to include an additional street and establish a new school zone within the school zone areas as shown on the revised exhibits and .

SECTION II: That there are hereby established 20 mile per hour speed limit school zones at the locations described in the maps attached hereto collectively as Exhibit "A" on school days at elementary schools between the hours of 6:45 to 8:30 a.m. and 2:50 to 4:30 p.m. and at secondary schools between the hours of 6:45 – 8:30 a.m. and 3:15 – 4:30 p.m.

SECTION III: That the Texas Manual on Uniform Traffic Control Devices (MUTCD) standards is hereby adopted and shall govern the type and placement of signs to create consistency throughout the City.

SECTION IV: That the Chief of Police of the City of Harlingen, Texas is hereby authorized and directed to post signs designating the school zones herein authorized.

SECTION V: That the driver of any motor vehicle who exceeds the speed limits imposed by the
Ordinance shall be guilty of an offense and upon conviction shall be fined in an amount not to exceed $200.00.

SECTION VI: 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 ______________, 2019 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
AGENDA ITEM  
EXECUTIVE SUMMARY

Meeting Date:  September 4, 2019

**Agenda Item:**
Consider and take action to approve a request from the Rotary Shrimp Fest of South Texas, Inc. for street closures for their 2020 Shrimp Fest on Jackson Avenue on Saturday, March 28, 2020 from 2:00 a.m. to 11:59 p.m.

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

Signature:  [signature]

**Brief Summary:**
Remi Gibbs, President for the Rotary Shrimp Fest of South Texas, Inc. is requesting to close the following streets for their 2020 Shrimp Fest on Jackson Avenue on Saturday, March 28, 2020 from 2:00 a.m. to 11:59 p.m.:

- Jackson Avenue from 1st Street to Commerce Street; and,
- “A” Street from Van Buren Avenue to Monroe Avenue.

These street closures will ensure the safety of the participants and visitors attending this event.

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

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

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

**Staff Recommendation:**
Staff recommends approval.

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

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

**Comments:**

City Attorney’s approval:  [ ] Yes [ ] No [ ] N/A
TO: Chief of Police

FROM: SGT. M. Brooks #3466

RE: Shrimp Fest street closure

REQUESTOR: Remi Gibbs
EVENT NAME: Shrimp Fest
DATE: March 28, 2020
LOCATION: Jackson Street District

DESCRIPTION: Shrimp Fest is scheduled for March 28, 2020 from 5:00pm – 9:00pm in the Downtown Harlingen District. This event is a popular event and is expected to have between 1500 and 2000 attendees. Streets are being requested for closure for the safety of families and individuals attending this event.

The request for road closure is from 2:00am through 11:59pm on March 28, 2020.

The streets requested to be closed are as follows.

Jackson Street (Between 1st Street and Commerce)
A Street (Between W. Van Buren and W. Monroe)

Also requested is closure to the allies between Van Buren and Jackson on A Street, also between Jackson and Monroe.

<table>
<thead>
<tr>
<th>OFFICER / EMPLOYEE</th>
<th>SIGNATURE</th>
<th>DATE</th>
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</thead>
<tbody>
<tr>
<td>SERGEANT / SUPERVISOR</td>
<td>M. Brooks</td>
<td>8/15/19</td>
</tr>
<tr>
<td>COMMANDER / MANAGER</td>
<td></td>
<td>8/15/19</td>
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<td>DEPUTY CHIEF</td>
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<td>ASSISTANT CHIEF</td>
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<td>CHIEF OF POLICE</td>
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</tbody>
</table>
May 28, 2019

Harlingen Downtown Committee
Harlingen Police Department
City of Harlingen – City Commission

RE: Shrimp Fest 2020 on Jackson Avenue

Due to the great success of Shrimp Fest 2019 on Jackson, we would like to hold it again in Downtown Harlingen in 2020.

Event Logistics:

Proposed Date: Saturday, March 28, 2020

Road Closure Times: 2:00 a.m. to 11:59 p.m.
    Event: 5:00 p.m. – 9:00 p.m.

Location: Jackson Avenue from 1st to Commerce
    "A" Street from Van Buren to Monroe
    Lozano Park

What to Expect:

We expect to have roughly 30 food vendors sampling signature shrimp dishes, a variety of other vendors, a couple of live bands, a VIP tent serving traditional boiled shrimp plates, a silent auction and a bar. We will bring in port-a-potties, tables/chairs, and roughly an 80x60 tent. Food vendors will also likely bring in tents. Shrimp samplings and alcohol will be purchased via tickets, e.g. 5 for $25 (pre-sale), 5 for $30 (at the door). We anticipate 1500 – 2000 people to attend. We will have all necessary permits and insurance policies for this type of event.

Thank you for your consideration of this event. If you have any questions, please contact me at 702.353.5986 or gibbs.remil@gmail.com

Remi Gibbs
President 2019/2020
Rotary Shrimp Fest of South Texas Inc.
(702)353-5986
From: Alvarez, Eduardo  
Sent: Tuesday, August 20, 2019 6:50 AM  
To: Pena, Frances  
Subject: Re: STREET CLOSURE REQUEST - SHRIMP FEST

HFD has no issues with this closure.

E. Alvarez

Sent from my iPhone

On Aug 19, 2019, at 2:01 PM, Pena, Frances <francespena@myharlingen.us> wrote:

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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<STREET CLOSURE REQUEST - SHRIMP FEST.pdf>
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: September 4, 2019

Agenda Item:
Consider and take action to approve a request from the Immaculate Heart of Mary Catholic Church requesting a street closure on Saturday, October 5, 2019 and Sunday, October 6, 2019 for their Annual "Fiesta de Amistad."

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

Brief Summary:
Rev. Msgr. Luis Javier Garcia, J.C.L. Pastor for the Immaculate Heart of Mary Catholic Church is requesting to close South "C" Street between Polk Street and Tyler Avenue on Friday, October 4, 2019 at 12:00 noon to begin setting up thru midnight on Sunday, October 6, 2019 for their Annual "Fiesta de Amistad." The street closure will ensure safety of the attendees.

The Fire Department has reviewed the request and provided approval.

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

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

Staff Recommendation:

For Street Closures ONLY, Fire Chief's approval: [x] Yes [ ] No [ ] N/A

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

Comments: [Signature]

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

[Signature]
8/30/2019
TO: Chief of Police

FROM: SGT. M. Brooks #3466

RE: Immaculate Heart Street Closure Request

REQUESTOR: Luis Javier Garcia
EVENT NAME: Fiesta de Amistad
DATE: October 5-6, 2019
LOCATION: 412 S. C Street Harlingen, TX. 78550

DESCRIPTION: The Immaculate Heart of Mary Catholic Church will be having its annual Fiesta de Amistad on Saturday October 5th and October 6th, 2019. The event is very popular and always attracts large crowds. The street closure is for the safety and security of families and individuals that would normally attend this event.

Street closure is requested from 12:00pm on October 4, 2019 through 12:00am October 7, 2019. The street closure request is for C Street, between W. Tyler and W. Polk in Harlingen as well as the east and west allies.

I made contact with the event coordinator, Luis Javier Garcia and confirmed dates and times. He was also advised his responsibility of setting up and tearing down barricades.
Immaculate Heart of Mary
Catholic Church

August 6th, 2019

Mr. Michael Kester, Chief of Police
Police Department of Harlingen
1018 Fairpark Blvd.
Harlingen, Texas 78550

Dear Chief Kester:

The Community of the Immaculate Heart of Mary Catholic Church will be having its Annual Fiesta de Amistad on Saturday, October 5th, and Sunday, October 6th, of this year.

This event has been held, for many years, at the external grounds of our church property. Due to the magnitude of this annual event that attracts large crowds, from Harlingen and its vicinity, we would like to request permission to close “C” Street, between Polk Street and Tyler Ave. It will begin on Friday, October 4th, from 12:00 Noon through midnight on Sunday, October 6th, 2018. The closing of this street will secure the safety of families and individuals that would normally attend this event.

We would like to thank you and your department in advance, for your kind consideration to our request and for your continuous assistance. Should you have any questions or need additional information, please contact us, at our church office (956) 423-0855.

Sincerely in Christ,

Rev. Msgr. Luis Javier Garcia, J.C.L.
Pastor

412 South “C” Street – Harlingen, Texas 78550 – Phone 956-423-0855
HFD has no issues with this closure.

E. Alvarez

Sent from my iPhone

On Aug 19, 2019, at 2:02 PM, Pena, Frances <francespena@myharlingen.us> wrote:

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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<STREET CLOSURE REQUEST - IMMACULATE HEART OF MARY.pdf>
AGENDA ITEM  
EXECUTIVE SUMMARY  

Meeting Date:  September 4, 2019  

Agenda Item:  
Consider and take action to approve a request from the Harlingen Housing Authority to close North 24th Street from East Palm Blvd. to Briar Avenue within the LeMoyne Gardens Housing Complex on Thursday, October 17, 2019 from 1:00 p.m. to 7:00 p.m. for their Community Fall Festival.  

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

Brief Summary:  
Angie Rodriguez, Resident Events Coordinator with the Harlingen Housing Authority is requesting the closure of North 24th Street from East Palm Blvd. to Briar Avenue within the LeMoyne Gardens Housing Complex from 1:00 p.m. to 7:00 p.m. on Thursday, October 17, 2019 for their Community Fall Festival. 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?  
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
TO: Chief of Police

FROM: District Representative

RE: Street Closure Request

REQUESTOR: Angie Rodriguez, 956-423-6213

EVENT NAME: Community Fall Festival

DATES AND TIMES: October 17th, 2019 1:00 PM – 7:00 PM

LOCATION: 3221 N 25th St, Harlingen, TX 78550

DESCRIPTION: The Community Festival at La Moyne Gardens Is Scheduled for October 17th, 2019 from 4:00 pm – 7:00 pm within the La Moyne Gardens housing complex. Angie Rodriguez is requesting the following streets to be closed for the festival and public Safety. In case of bad weather, Ms. Rodriguez is requesting October 24th, 2019 as a make-up day.

1) 24th St from E Palm Blvd to Briar Ave with in the La Moyne Gardens Housing Complex.

COMMENTS/NOTES: The streets will be closed for the safety of the public in attendance. Contact has been made with the Event Coordinator and was advised that it would be their responsibility to set up and break down the Barricades.

RECOMMENDATION: Approve
July 29, 2019

Amanda Elizondo
City of Harlingen
Harlingen, TX 78500

Re: Community Fall Festival

Dear Ms. Elizondo,

The Harlingen Housing Authority is planning a Community Fall Festival on Thursday, October 17, 2019. The Fall Festival will be at Le Moyne Gardens, 3221 N. 25th St., Harlingen, Texas from 4:00 p.m. to 7:00 p.m. In case of bad weather, our weather make up date will be October 24, 2019.

We are asking to close N. 24th Street at Le Moyne Gardens (3221 N. 25th Street) between the hours of 1:00pm and 7:00pm.

If you have any questions, please call me at (956) 423-6213.

Sincerely,

Angie Rodriguez
Resident Events Coordinator
Office: (956) 423-6213
Cell: (956) 564-0767
No issues with this closure.

E. Alvarez

Sent from my iPhone

On Aug 15, 2019, at 8:58 AM, Pena, Frances <francespena@myharlingen.us> wrote:

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: francispena2@harlingenpolice.com

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<STREET CLOSURE REQUEST - HHA FALL FESTIVAL.pdf>
**AGENDA ITEM**
**EXECUTIVE SUMMARY**

Meeting Date: September 04, 2019

<table>
<thead>
<tr>
<th>Agenda Item:</th>
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<tr>
<td>Consideration and possible action to approve an ordinance on first reading adopting the 2019 Ad Valorem Tax Rate for Maintenance and Operations for Fiscal Year 2019-2020.</td>
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| Prepared By (Print Name): | Elvia Treviño |
| Title: | Finance Director |
| Signature: | [Signature] |

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<th>Brief Summary:</th>
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<td>Texas Senate Bill Number 656 effective September 01, 2013 requires the City Commission’s vote to adopt the City’s tax rate to be a record vote. The adoption of the City’s tax rate is done in two parts. The first is the Maintenance and Operations rate, which is proposed at $0.518100 per $100 valuation. Together with the Interest and Sinking rate the total proposed tax rate is $0.630000. All legal requirements have been met for the adoption of the tax rate.</td>
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<td>Are funds specifically designated in the current budget for the full amount for this purpose?</td>
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<td>[ ] Yes [ ] No*</td>
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<td>Finance Director’s approval:</td>
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<th>Staff Recommendation:</th>
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<td>Staff recommends approval.</td>
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<th>City Manager’s approval:</th>
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<th>City Attorney’s approval:</th>
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8/29/19
ORDINANCE NO. 2019 -

AN ORDINANCE FIXING THE AD VALOREM TAX RATE FOR MAINTENANCE AND OPERATIONS FOR THE CITY OF HARLINGEN, TEXAS FOR THE CALENDAR YEAR 2019 AT $0.518100 PER ONE HUNDRED DOLLARS ($100.00) VALUATION; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, the tax rolls of all taxable property in the City of Harlingen, Texas have been prepared and submitted to the Director of Finance of the City of Harlingen, Texas by the Chief Appraiser of the Cameron County Appraisal District: and

WHEREAS, such tax rolls as certified by the Chief Appraiser show a taxable valuation, after making deductions for all exemptions authorized under State law and under ordinances of the City of Harlingen, Texas of Three Billion Four Hundred Twenty Million Twenty-Three Thousand Eight Hundred Forty-Three Dollars ($3,420,023,843); now therefore,

WHEREAS, The City of Harlingen has complied with all of the legal, procedural, and notice requirements to enact this ordinance fixing the ad valorem tax rate for maintenance and operations for the City for the calendar year 2019; and

WHEREAS, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE; now therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN: That after considering, allowing and applying all income for the City of Harlingen maintenance and operations from other sources upon the annual budget it is required that the maintenance and operation tax rate for 2019 be and the same is hereby fixed at $0.518100 for each One Hundred Dollars ($100.00) of assessed valuation of all property subject to taxation, real and personal, located within the City of Harlingen, Texas.

BE IT FURTHERED ORDAINED that a tax rate set at the foregoing rate is hereby levied on all properties subject to taxation, real and personal, located within the City of Harlingen, Texas on the 1st day of January 2019 and a lien against such property to secure the payment of such taxes levied is hereby established.

BE IT FURTHERED ORDAINED 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 ______________, 2019 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A., CHAPTER 551.

CITY OF HARLINGEN

ATTEST:  

Christopher H. Boswell, Mayor

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

Meeting Date: September 04, 2019

**Agenda Item:**
Consideration and possible action to approve an ordinance on first reading adopting the 2019 Ad Valorem Tax Rate for Interest and Sinking for Fiscal Year 2019-2020.

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

**Brief Summary:**
Texas Senate Bill Number 656 effective September 01, 2013 requires the City Commission’s vote to adopt the City’s tax rate to be a record vote. The adoption of the City’s tax rate is done in two parts. The second is the Interest and Sinking rate, which is proposed at $0.111900 per $100 valuation. The Interest and Sinking portion of the tax rate pays for the City’s debt service for the fiscal year. Together with the Maintenance and Operations rate the total proposed tax rate is $0.630000. All legal requirements have been met for the adoption of the tax rate.

**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:

<table>
<thead>
<tr>
<th>Finance Director’s approval:</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>![Signature]</td>
<td></td>
<td></td>
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</table>

**Staff Recommendation:**  
Staff recommends approval.

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

**Comments:**

<table>
<thead>
<tr>
<th>City Attorney’s approval:</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>![Signature]</td>
<td></td>
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</tbody>
</table>

8/7/2019
ORDINANCE NO. 2019 - ___

AN ORDINANCE FIXING THE AD VALOREM TAX RATE FOR INTEREST AND SINKING PAYMENTS FOR THE CITY OF HARLINGEN, TEXAS FOR THE CALENDAR YEAR 2019 AT $0.111900 PER ONE HUNDRED DOLLARS ($100.00) VALUATION; PROVIDING FOR PUBLICATION AND ORDAINDING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, the tax rolls of all taxable property in the City of Harlingen, Texas have been prepared and submitted to the Director of Finance of the City of Harlingen, Texas by the Chief Appraiser of the Cameron County Appraisal District; and

WHEREAS, such tax rolls as certified by the Chief Appraiser show a taxable valuation, after making deductions for all exemptions authorized under State law and under ordinances of the City of Harlingen, Texas of Three Billion Four Hundred Twenty Million Twenty-Three Thousand Eight Hundred Forty-Three Dollars ($3,420,023,843); now therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN: That after considering, allowing and applying all income for the City of Harlingen maintenance and operations from other sources upon the annual budget it is required that the interest and sinking tax rate for 2019 be and the same is hereby fixed at $0.111900 for each One Hundred Dollars ($100.00) of assessed valuation of all property subject to taxation, real and personal, located within the City of Harlingen, Texas.

BE IT FURTHERED ORDAINED that a tax rate set at the foregoing rate is hereby levied on all properties subject to taxation, real and personal, located within the City of Harlingen, Texas on the 1st day of January 2019 and a lien against such property to secure the payment of such taxes levied is hereby established.

BE IT FURTHERED ORDAINED 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 ____________, 2019 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A., CHAPTER 551.

CITY OF HARLINGEN

ATTEST:

Christopher H. Boswell, Mayor

Amanda C. Elizondo, City Secretary
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: September 04, 2019

Agenda Item:

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

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

Brief Summary:

Texas Senate Bill Number 656 effective September 01, 2013 requires the City Commission’s vote to adopt a budget to be a record vote. Exhibit “A” displays total proposed revenues and expenditures, and estimated fund balances by fund for Fiscal Year 2019-2020.

Total Proposed Revenues – $77,585,220
Total Proposed Expenditures – $79,247,357

The Community Development Block Grant, Harlingen Downtown Improvement District, Harlingen Economic Development Corporation, Harlingen Community Improvement Board, Harlingen Waterworks System, and Valley International Airport budgets are under separate resolutions.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

City Attorney’s approval: ☑ Yes ☐ No ☐ N/A
ORDINANCE NO. 19 -

AN ORDINANCE ADOPTING THE REVENUE AND EXPENDITURE BUDGET FOR THE CITY OF HARLINGEN, TEXAS, FOR THE FISCAL YEAR OCT. 1, 2019 THROUGH SEPT. 30, 2020 IN THE AMOUNT OF $77,585,220 AND $79,247,357 RESPECTIVELY; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, the City Manager of the City of Harlingen has prepared and presented to the City Commission a budget for the fiscal year October 1, 2019 through September 30, 2020; and

WHEREAS, a public hearing on said budget was called for the 7th day of August, 2019 at 5:30 P.M. by publication in a newspaper of general circulation at least ten days and not more than thirty days before the public hearing to be held at City Hall, in the City of Harlingen, Texas, where and when any and all interested persons might appear and be heard with reference to any item contained in said budget; and

WHEREAS, said public hearing was held on the 7th day of August, 2019 at the time and place aforesaid, and the said budget was discussed, and all interested persons were given an opportunity to be heard on any matter relative thereto, and all interested persons having appeared and been heard, and there be no other persons seeking to be heard with reference to any matter concerning budget, the said public hearing was closed on the 7th day of August, 2019; now, therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

SECTION I. That the budget for revenues and expenditures of the City of Harlingen, Texas for the fiscal year October 1, 2019 and ending September 30, 2020 (exclusive of the revenues and expenditures of the Community Development Block Grant Fund, Harlingen Downtown Improvement District Fund, Harlingen Economic Development Corporation Fund, Harlingen Community Improvement Board Fund, Harlingen Waterworks System, and the Valley International Airport) in the total amount of Seventy-Seven Million Five Hundred Eighty-Five Thousand Two Hundred Twenty Dollars ($77,585,220) in revenues and Seventy-Nine Million Two Hundred Forty-Seven Thousand Three Hundred Fifty Seven Dollars ($79,247,357) in expenditures is hereby adopted. A summary of the budget adopted is hereby attached to this Ordinance and incorporated herein as Exhibit A and the complete detail budget adopted by this Ordinance is incorporated herein by reference and shall be made available for public inspection at the office of the City Secretary during regular business hours.

SECTION II. That the City Manager of the City of Harlingen, Texas, is hereby authorized to increase the budget by the amount of purchase orders outstanding as of September 30, 2019.

SECTION III. That the City Manager of the City of Harlingen, Texas, is hereby authorized to increase the budget by the amount of funds recovered for repair or replacement of property or equipment damaged by others.

SECTION IV. 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 _____________, 2019 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A., CHAPTER 551.

CITY OF HARLINGEN

Christopher H. Boswell, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary
City of Harlingen  
Proposed Budget  
Fiscal Year 2019-2020  

<table>
<thead>
<tr>
<th>Fund</th>
<th>Estimated Beginning Fund Balance</th>
<th>Proposed Revenues</th>
<th>Proposed Expenditures</th>
<th>Revenues Over(Under) Expenditures</th>
<th>Estimated Ending Fund Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$16,478,042</td>
<td>$46,507,070</td>
<td>$47,885,109</td>
<td>$(1,378,039)</td>
<td>$15,100,003</td>
</tr>
<tr>
<td>Tennis Court</td>
<td>(18,526)</td>
<td>95,673</td>
<td>77,147</td>
<td>18,526</td>
<td>-</td>
</tr>
<tr>
<td>Hotel / Motel</td>
<td>305,463</td>
<td>865,000</td>
<td>924,492</td>
<td>(59,492)</td>
<td>245,971</td>
</tr>
<tr>
<td>Catastrophic Emergency</td>
<td>799,082</td>
<td>4,700</td>
<td>25,000</td>
<td>(20,300)</td>
<td>778,782</td>
</tr>
<tr>
<td>Free Trade Bridge</td>
<td>936,446</td>
<td>325,200</td>
<td>581,507</td>
<td>(256,307)</td>
<td>680,139</td>
</tr>
<tr>
<td>Convention &amp; Visitors Bureau</td>
<td>193,015</td>
<td>447,300</td>
<td>443,627</td>
<td>3,673</td>
<td>196,688</td>
</tr>
<tr>
<td>Award Programs - Restricted</td>
<td>-</td>
<td>1,098,258</td>
<td>1,098,258</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>PEG Programming</td>
<td>694,613</td>
<td>85,000</td>
<td>-</td>
<td>85,000</td>
<td>779,613</td>
</tr>
<tr>
<td>Harlingen Convention Center</td>
<td>-</td>
<td>60,000</td>
<td>-</td>
<td>60,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Federal Forfeitures</td>
<td>-</td>
<td>20,000</td>
<td>20,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>State Forfeitures</td>
<td>94,107</td>
<td>70,000</td>
<td>72,000</td>
<td>(2,000)</td>
<td>92,107</td>
</tr>
<tr>
<td>Tax Increment Financing # 1</td>
<td>487,973</td>
<td>61,200</td>
<td>-</td>
<td>61,200</td>
<td>549,173</td>
</tr>
<tr>
<td>Tax Increment Financing # 2</td>
<td>583,176</td>
<td>121,200</td>
<td>-</td>
<td>121,200</td>
<td>704,376</td>
</tr>
<tr>
<td>Tax Increment Financing # 3</td>
<td>236,396</td>
<td>287,000</td>
<td>523,396</td>
<td>(236,396)</td>
<td>-</td>
</tr>
<tr>
<td>Debt Service</td>
<td>1,133,664</td>
<td>4,581,538</td>
<td>4,760,174</td>
<td>(178,636)</td>
<td>955,028</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>-</td>
<td>1,413,074</td>
<td>1,413,074</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Municipal Auditorium (Note 1)</td>
<td>120,551</td>
<td>350,150</td>
<td>349,112</td>
<td>1,038</td>
<td>121,589</td>
</tr>
<tr>
<td>Sanitation/Sanitary Landfill (Note 1)</td>
<td>7,220,681</td>
<td>9,650,500</td>
<td>10,897,978</td>
<td>(1,247,478)</td>
<td>5,973,203</td>
</tr>
<tr>
<td>Harlingen Arts and Heritage Museum (Note 1)</td>
<td>26,087</td>
<td>97,050</td>
<td>114,139</td>
<td>(17,089)</td>
<td>8,999</td>
</tr>
<tr>
<td>Municipal Golf Course (Note 1)</td>
<td>(766,455)</td>
<td>876,200</td>
<td>1,080,537</td>
<td>(204,337)</td>
<td>(970,792)</td>
</tr>
<tr>
<td>Motor Vehicle / Warehouse (Note 1)</td>
<td>418,793</td>
<td>2,005,000</td>
<td>2,111,533</td>
<td>(106,533)</td>
<td>312,260</td>
</tr>
<tr>
<td>Motor Vehicle / Replacement (Note 1)</td>
<td>2,734,301</td>
<td>3,150,500</td>
<td>1,456,667</td>
<td>1,693,833</td>
<td>4,428,134</td>
</tr>
<tr>
<td>Health Insurance (Note 1)</td>
<td>671,836</td>
<td>5,413,607</td>
<td>5,413,607</td>
<td>-</td>
<td>671,836</td>
</tr>
</tbody>
</table>

Total | $32,349,245 | $77,585,220 | $79,247,357 | $(1,662,137) | $30,687,108 |

Note 1 - Working capital is the fund balance amount.
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: September 04, 2019

Agenda Item:
Consideration and possible action to approve a resolution adopting the Harlingen Downtown Improvement District's budget for Fiscal Year 2019-2020

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

Brief Summary:
Exhibit “A” displays total revenues, expenditures, and estimated fund balance for Fiscal Year 2019-2020.
Proposed Revenues – $243,825
Proposed Expenditures – $259,809

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: [X] Yes □ No □ N/A

Staff Recommendation:
Staff recommends approval.

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

Comments:

City Attorney’s approval: □ Yes □ No □ N/A
### 107 Harlingen Downtown Improvement District Fund

**Proposed Budget**

*Fiscal Year 2019-2020*

<table>
<thead>
<tr>
<th>Estimated Beginning Fund Balance</th>
<th>$ 124,655</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Revenues</td>
<td>243,825</td>
</tr>
<tr>
<td>Proposed Expenditures</td>
<td>259,809</td>
</tr>
<tr>
<td><strong>Estimated Ending Fund Balance</strong></td>
<td><strong>$ 108,671</strong></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Revenues</strong></th>
<th><strong>$ 243,825</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest - Investments</td>
<td>$ 1,350</td>
</tr>
<tr>
<td>Assessments</td>
<td>27,500</td>
</tr>
<tr>
<td>Transfer from General Fund</td>
<td>182,975</td>
</tr>
<tr>
<td>Transfer from Hotel/Motel Fund</td>
<td>32,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Expenditures</strong></th>
<th><strong>$ 259,809</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Services - Pay</td>
<td>$ 110,885</td>
</tr>
<tr>
<td>Personnel Services - Benefits</td>
<td>33,771</td>
</tr>
<tr>
<td>Supplies - General</td>
<td>3,350</td>
</tr>
<tr>
<td>Supplies - Miscellaneous</td>
<td>1,250</td>
</tr>
<tr>
<td>Services and Charges - General</td>
<td>58,003</td>
</tr>
<tr>
<td>Services and Charges - Maintenance</td>
<td>1,550</td>
</tr>
<tr>
<td>Services and Charges - Miscellaneous</td>
<td>51,000</td>
</tr>
</tbody>
</table>

| Revenues Over/(Under) Expenditures| $(15,984)    |
RESOLUTION NO. 2019 - ___

STATE OF TEXAS
COUNTY OF CAMERON

WHEREAS, the Harlingen Downtown Improvement District Board has submitted its proposed budget for the Harlingen Downtown Improvement District for fiscal year October 1, 2019 through September 30, 2020; and

WHEREAS, the Elective Commission of the City of Harlingen, Texas has reviewed the budget submitted by Harlingen Downtown Improvement District Board for its 2019-2020 fiscal year; and

WHEREAS, the budget for the Harlingen Downtown Improvement District as submitted shows total projected revenues of Two Hundred Forty-Three Thousand Eight Hundred Twenty-Five Dollars ($243,825) and total authorized expenditures of Two Hundred Fifty-Nine Thousand Eight Hundred Nine Dollars ($259,809) as shown on the attached Exhibit "A", now, therefore,

BE IT RESOLVED BY THE CITY OF HARLINGEN:

That the budget of the Harlingen Downtown Improvement District as recited hereinabove for the fiscal year commencing October 1, 2019 and ending September 30, 2020, showing total projected revenues of Two Hundred Forty-Three Thousand Eight Hundred Twenty-Five Dollars ($243,825) and total authorized expenditures of Two Hundred Fifty-Nine Thousand Eight Hundred Nine Dollars ($259,809) is hereby adopted and approved.

CONSIDERED AND ADOPTED THIS ______ day of ____________, 2019 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A., CHAPTER 551, as amended.

CITY OF HARLINGEN

________________________
Christopher H. Boswell, Mayor

ATTEST:

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

Meeting Date: September 4, 2019

Agenda Item:
Consideration and possible action to approve the selection of the External Auditing Services.

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

Brief Summary:
The current Auditing Services contract ends on September 30, 2019. Staff went out for proposals for a three year term with two one year extensions. Three proposals were received from the following firms; BKD CPA's & Advisors, Carr Riggs & Ingram CPA's & Advisors, and Burton McCumber & Longoria, LLP CPA's & Advisors. One of the Audit Committee's responsibilities is to advise the City Commission on the qualifications for the selection of an independent external auditor. The Audit Committee met on August 28, 2019 to collectively rank the firms and based on qualifications form a consensus of opinion and make a recommendation.

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

Staff Recommendation:
Staff recommends approval of the Audit Committee's recommendation to select CRI and authorize the Mayor and City Manager to sign engagement letter.

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

Comments:

City Attorney's approval:
□ Yes □ No □ N/A
**AGENDA ITEM**

**EXECUTIVE SUMMARY**

Meeting Date:  September 04, 2019

**Agenda Item:**
Consideration and possible action to award banking service contract.

**Prepared By (Print Name):** Elvia Treviño  
**Title:** Finance Director  
**Signature:** [Signature]

**Brief Summary:**
The current banking contract ends on September 30, 2019. Staff went out for applications for a three year term with two one year extensions. Proposals were received from Frost Bank, Texas Regional Bank, Plains Capital Bank and BBVA bank. The applications were reviewed by staff. The following criteria was considered for selecting the contract: capability to provide services required, services costs, customer service, earnings potential (interest rates) and funds availability, experience and continuity of bank and bank officials, and Creditworthiness of the bank. Staff recommends the contract be awarded to Frost Bank.

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

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

**Staff Recommendation:**
Staff recommends approval of three year term contract and authorize the Mayor to sign the contract.

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

**Comments:**

City Attorney’s approval: [ ] Yes [ ] No [ ] N/A  
8/30/2019

form revised 04/29/09
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: Wednesday, September 4, 2019

| Agenda Item: |
| Consider and take action to approve Resolution accepting Valley International Airport's proposed 2020 budget. |

| Prepared By: Marv Estedy |
| Title: Director of Aviation |
| Signature: |

| Brief Summary: |
| The proposed Budget for Valley International Airport as submitted totals Projected Revenue of Six Million, Nine Hundred Ninety-Seven Thousand, Eight Hundred Dollars and no/100 ($6,997,800.00) and Operating Expense of Six Million, Eight Hundred Twenty Thousand, Five Hundred Dollars and no/100 ($6,820,500.00). The Capital Budget as submitted totals Twenty One Million, Six Hundred Seventeen Thousand Dollars and no/100 ($21,617,000.00). |

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

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

| Staff Recommendation: |
| The staff recommends acceptance of the Adopted Budget for Valley International Airport for Fiscal Year 2020. |

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

| Comments: |

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

form revised 01/26/09
RESOLUTION NO. ________

STATE OF TEXAS  
COUNTY OF CAMERON

WHEREAS, the Harlingen Airport Board has submitted its proposed budget for Valley International Airport for Fiscal Year 2020; and

WHEREAS, the Elective Commission of the City of Harlingen, Texas, has reviewed the proposed budget for Fiscal Year 2020 submitted by the Harlingen Airport Board; and

WHEREAS, the proposed budget for Fiscal Year 2020 for Valley International Airport was approved by the Harlingen Airport Board during its regular meeting of August 23, 2019; and

WHEREAS, the proposed Budget for Valley International Airport as submitted totals Projected Revenue of Six Million, Nine Hundred Ninety-Seven Thousand, Eight Hundred Dollars and no/100 ($6,997,800.00) and Operating Expense of Six Million, Eight Hundred Twenty Thousand, Five Hundred Dollars and no/100 ($6,820,500.00); and the Capital Budget as submitted totals Twenty-One Million, Six Hundred Seventeen Thousand Dollars and no/100 ($21,617,000.00), now therefore;

BE IT RESOLVED BY THE CITY OF HARLINGEN:

That the proposed Budget of Valley International Airport as recited herein above for the Fiscal Year commencing October 1, 2019 and ending September 30, 2020, totals Projected Revenue of Six Million, Nine Hundred Ninety-Seven Thousand, Eight Hundred Dollars and no/100 ($6,997,800.00) and Operating Expense of Six Million, Eight Hundred Twenty Thousand, Five Hundred Dollars and no/100 ($6,820,500.00); and the Capital Budget as submitted totals Twenty-One Million, Six Hundred Seventeen Thousand Dollars and no/100 ($21,617,000.00), is hereby adopted.
CONSIDERED AND ADOPTED this 4th day of September 2019, at a regular meeting of
the Elective Commission of the City of Harlingen, Texas, at which a quorum was present and
which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A,
CHAPTER 551.

CITY OF HARLINGEN

BY: ____________________________

Chris H. Boswell, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary
Valley International Airport
2020 Budget Proposal

<table>
<thead>
<tr>
<th>Revenue Item</th>
<th>2019 Mid Year</th>
<th>2020 Budget</th>
<th>Increase (Decrease)</th>
<th>%</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings</td>
<td>$325,000</td>
<td>$368,000</td>
<td>$41,000</td>
<td>12.6%</td>
<td>FAA (old ARFF building), Annualized FedEx Cargo, DHL Lawn Care</td>
</tr>
<tr>
<td>United Launch Alliance</td>
<td>$661,500</td>
<td>$687,000</td>
<td>$25,500</td>
<td>3.8%</td>
<td>Contractual increase $17,000 to $41,438 effective Jan 1, 2020</td>
</tr>
<tr>
<td>Parking</td>
<td>$1,039,000</td>
<td>$1,044,000</td>
<td>$5,000</td>
<td>0.5%</td>
<td>Increased parking</td>
</tr>
<tr>
<td>Gifts &amp; News</td>
<td>$28,000</td>
<td>$58,000</td>
<td>$30,000</td>
<td>107.1%</td>
<td>Tailspin (new vendor) - increased revenue from 4.6% to 13%</td>
</tr>
<tr>
<td>Ground Handling Services</td>
<td>$210,000</td>
<td>$239,700</td>
<td>$29,700</td>
<td>12.2%</td>
<td>Fronger annualized schedule includes 50% discounted OPEX</td>
</tr>
<tr>
<td>Rent-A-Cars &amp; CFC</td>
<td>$1,443,000</td>
<td>$1,471,000</td>
<td>$28,000</td>
<td>1.9%</td>
<td>Nominal increase</td>
</tr>
<tr>
<td>Fuel Sales QTA</td>
<td>$158,000</td>
<td>$168,000</td>
<td>$10,000</td>
<td>6.3%</td>
<td>Minor increase, fluctuates by year</td>
</tr>
<tr>
<td>Hangars</td>
<td>$175,000</td>
<td>$136,500</td>
<td>($38,500)</td>
<td>-22.0%</td>
<td>North Hangar month to month - 6 months @ $3,000/month</td>
</tr>
<tr>
<td>Airline Landing</td>
<td>$384,000</td>
<td>$367,000</td>
<td>($17,000)</td>
<td>-4.4%</td>
<td>Sig $1.04, Non-Sig $1.35, SWA down 1 flight for 6 months - Max 8</td>
</tr>
<tr>
<td>Other</td>
<td>$2,438,600</td>
<td>$2,450,600</td>
<td>$12,000</td>
<td>0.5%</td>
<td>Various line items</td>
</tr>
<tr>
<td><strong>Revenue</strong></td>
<td><strong>$6,831,300</strong></td>
<td><strong>$6,997,800</strong></td>
<td></td>
<td><strong>2.4%</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expense Item</th>
<th>2019 Mid Year</th>
<th>2020 Budget</th>
<th>Increase (Decrease)</th>
<th>%</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary, wages, &amp; OT</td>
<td>$2,024,000</td>
<td>$2,190,000</td>
<td>$166,000</td>
<td>8.2%</td>
<td>3 Heads, Turnover, Rate increases</td>
</tr>
<tr>
<td>Benefits</td>
<td>$666,000</td>
<td>$753,000</td>
<td>$87,000</td>
<td>12.7%</td>
<td>FICA, Health Insurance WCa</td>
</tr>
<tr>
<td>Insurance</td>
<td>$252,000</td>
<td>$317,300</td>
<td>$65,300</td>
<td>25.9%</td>
<td>Current Year +13%, transfers to owned buildings reduced</td>
</tr>
<tr>
<td>Ground Handling Service</td>
<td>$207,000</td>
<td>$292,000</td>
<td>$85,000</td>
<td>41.1%</td>
<td>2 FT + PT to cover 952 flights</td>
</tr>
<tr>
<td>ARFF Personnel/City</td>
<td>$340,000</td>
<td>$900,000</td>
<td>$560,000</td>
<td>164.3%</td>
<td>Ties to City of Harlingen estimate</td>
</tr>
<tr>
<td>Maintenance</td>
<td>$50,000</td>
<td>$75,000</td>
<td>$25,000</td>
<td>50.0%</td>
<td>ARFF equipment warranties expired</td>
</tr>
<tr>
<td>Information Systems</td>
<td>$392,000</td>
<td>$412,000</td>
<td>$20,000</td>
<td>5.1%</td>
<td>Annual resealing of terrazzo floor</td>
</tr>
<tr>
<td>Other</td>
<td>$110,000</td>
<td>$85,000</td>
<td>($25,000)</td>
<td>-22.7%</td>
<td>Amortize, Com-Net Software, Mirk*Over, CNG, Sage, Parax</td>
</tr>
<tr>
<td><strong>Expense</strong></td>
<td><strong>$6,360,000</strong></td>
<td><strong>$6,820,900</strong></td>
<td></td>
<td><strong>7.2%</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Net Income Excl Depn</th>
<th>2019 Mid Year</th>
<th>2020 Budget</th>
<th>Increase (Decrease)</th>
<th>%</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$6,831,300</td>
<td>$6,997,800</td>
<td>$166,500</td>
<td>2.4%</td>
<td>Revenue Higher than 2019 Mid Year</td>
</tr>
<tr>
<td>Expense</td>
<td>$6,360,000</td>
<td>$6,820,900</td>
<td>$460,900</td>
<td>7.2%</td>
<td>Expense Higher than 2019 Mid Year</td>
</tr>
<tr>
<td>Net Income</td>
<td>$471,300</td>
<td>$177,300</td>
<td>($294,000)</td>
<td>-62.8%</td>
<td></td>
</tr>
</tbody>
</table>
2020 Proposed Budget

VALLEY INTERNATIONAL AIRPORT
PROPOSED CAPITAL BUDGET
FOR FISCAL YEAR OCTOBER 01, 2019 - SEPTEMBER 30, 2020

<table>
<thead>
<tr>
<th>Capital Purchases</th>
<th>FAA</th>
<th>PFC</th>
<th>LOCAL</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARFF FLIR Camera</td>
<td>$ 12,000</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 12,000</td>
</tr>
<tr>
<td>Riding Floor Scrubber</td>
<td>$ 11,000</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 11,000</td>
</tr>
<tr>
<td>Vacuums and Floor Buffer</td>
<td>$ 4,000</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 4,000</td>
</tr>
<tr>
<td>Pick-up Truck with Radio and Safety Flashers</td>
<td>$ 30,000</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 30,000</td>
</tr>
<tr>
<td>Airfield Tractor and Shredder</td>
<td>$ 70,000</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 70,000</td>
</tr>
<tr>
<td>Tennant Sweeper</td>
<td>$ 60,000</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 60,000</td>
</tr>
<tr>
<td>Grounds Keeper motorized mule</td>
<td>$ 15,000</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 15,000</td>
</tr>
<tr>
<td><strong>Total Capital Expenses</strong></td>
<td><strong>$ 202,000</strong></td>
<td><strong>$ -</strong></td>
<td><strong>$ -</strong></td>
<td><strong>$ 202,000</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Capital Improvements</th>
<th>FAA</th>
<th>PFC</th>
<th>LOCAL</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upgrade Fire Alarm System</td>
<td>$ 200,000</td>
<td>$ 180,000</td>
<td>$ -</td>
<td>$ 20,000</td>
</tr>
<tr>
<td>Overlay RWY 13-31</td>
<td>$ 3,000,000</td>
<td>$ 2,700,000</td>
<td>$ 300,000</td>
<td>$ -</td>
</tr>
<tr>
<td>RWY 17R-35L Extension</td>
<td>$ 17,500,000</td>
<td>$ 15,750,000</td>
<td>$ 1,750,000</td>
<td>$ -</td>
</tr>
<tr>
<td>Replace Pax Bridge 2</td>
<td>$ 715,000</td>
<td>$ -</td>
<td>$ 715,000</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Total Capital Improvements</strong></td>
<td><strong>$ 21,415,000</strong></td>
<td><strong>$ 18,630,000</strong></td>
<td><strong>$ 2,765,000</strong></td>
<td><strong>$ 20,000</strong></td>
</tr>
</tbody>
</table>

**Total Capital Expenses and Capital Improvements**

**$ 21,617,000**
# 2020 Proposed Budget

VALLEY INTERNATIONAL AIRPORT  
PROPOSED CASH FLOW  
FOR FISCAL YEAR OCTOBER 01, 2018 - SEPTEMBER 30, 2019

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Beginning Projected Cash &amp; Investments Balance:</strong></td>
<td>$3,311,881</td>
<td>$1,944,740</td>
<td>$1,955,279</td>
</tr>
<tr>
<td><strong>Uses of Cash</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel Services</td>
<td>4,110,000</td>
<td>4,233,300</td>
<td>4,360,299</td>
</tr>
<tr>
<td>Contracted Services</td>
<td>1,504,200</td>
<td>1,549,326</td>
<td>1,595,806</td>
</tr>
<tr>
<td>Material &amp; Supplies</td>
<td>530,000</td>
<td>545,900</td>
<td>562,277</td>
</tr>
<tr>
<td>Other Charges</td>
<td>676,300</td>
<td>696,589</td>
<td>717,487</td>
</tr>
<tr>
<td>Capital Purchases</td>
<td>202,000</td>
<td>200,000</td>
<td>200,000</td>
</tr>
<tr>
<td>Capital Improvements</td>
<td>8,449,000</td>
<td>13,097,000</td>
<td>10,500,000</td>
</tr>
<tr>
<td><strong>Non Cash Items</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ascet Rec, Acct Pay, Prepaid</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Insurance Claim</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Uses of Cash</strong></td>
<td>$15,471,500</td>
<td>$20,322,115</td>
<td>$17,935,868</td>
</tr>
<tr>
<td><strong>Sources of Cash</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terminal Building</td>
<td>3,426,000</td>
<td>3,528,780</td>
<td>3,634,643</td>
</tr>
<tr>
<td>Airfield</td>
<td>797,000</td>
<td>820,910</td>
<td>845,537</td>
</tr>
<tr>
<td>Industrial Park</td>
<td>1,223,000</td>
<td>1,362,690</td>
<td>1,403,571</td>
</tr>
<tr>
<td>Terminal Support</td>
<td>1,451,794</td>
<td>1,495,348</td>
<td>1,540,208</td>
</tr>
<tr>
<td>Interest Income</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
</tr>
<tr>
<td>PFC Collections</td>
<td>1,353,066</td>
<td>1,380,127</td>
<td>1,407,729</td>
</tr>
<tr>
<td>FAA Grant Money</td>
<td>5,940,000</td>
<td>11,931,300</td>
<td>9,450,000</td>
</tr>
<tr>
<td><strong>Non Cash Items</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deferred Revenue ULA</td>
<td>(211,500)</td>
<td>(211,500)</td>
<td>(211,500)</td>
</tr>
<tr>
<td><strong>Total Sources of Cash</strong></td>
<td>$14,104,359</td>
<td>$20,322,654</td>
<td>$18,095,189</td>
</tr>
<tr>
<td><strong>Ending Projected Cash &amp; Investments Balance:</strong></td>
<td>$1,944,740</td>
<td>$1,955,279</td>
<td>$2,114,599</td>
</tr>
</tbody>
</table>

T:\CELINA'S Word Data\Board Meetings (misc)\City Commission - Executive Summary Forms\2019\Sep 4 2019 - budget\2020 Budget Slides.xlsx Cash Flow  
6/23/2019 4:00 PM
AGENDA ITEM  
EXECUTIVE SUMMARY

Meeting Date: September 4, 2019

Agenda Item:
Consider and take action to approve an Ordinance on First Reading to amend the City of Harlingen Code of Ordinances, Chapter 109 (Subdivisions), Article V, Standards and Specifications, Section 109-124(F) Sidewalks, to require sidewalks on local streets and perimeter streets. Applicant: City of Harlingen

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

Brief Summary:

Project Timeline
- **August 19, 2019** – Planning Department receives direction from the City Manager to amend the Code of Ordinances to require sidewalks on local streets through a note on the plat and escrows for gaps.
- **August 23, 2019** - Draft Ordinance routed to City Attorney for review.
- **August 29, 2019** – **The Planning and Zoning Commission recommended approval of the amendment by a 4 to 0 vote, with the condition that guidelines be developed and adopted for the proper management of the escrows.**
- **September 4, 2019** – City Commission considers ordinance amendments via First Ordinance Reading.
- **September 18, 2019** – Pending approval of First Ordinance Reading, consideration of approval of Second and Final Ordinance Reading.

Summary

- Attached to the summary are sections of the City of Harlingen Code of Ordinances, Chapter 109, Article V, Section 109-124(F) proposed for amendment. These amendments have been drafted after receiving direction from the City Manager to bring the sidewalk regulations in compliance with the 2014 ADA Transition Plan.
- The proposed amendments to the Code of Ordinances are grouped into five changes. Listed below is a summary of the amendments.

1. All streets will require sidewalks. Currently, sidewalks are required on major arterial, minor arterial, and major collector streets only. The proposed amendment will also require sidewalks on local/interior streets regardless of whether the residential subdivision is within 1,000 feet of a school. This amendment is addressed on Section 109-124(F)(1) on the attached ordinance.
2. Sidewalk requirements are clarified for subdivisions fronting a perimeter street. Sidewalks fronting a perimeter street shall be installed at the developer’s expense at the time curb and gutter is installed or if already there. If the perimeter street has no curb and gutter, the developer shall escrow funds for sidewalks. This amendment is addressed on Section 109-124(F)(1) and 109-124(F)(4).
3. The installation of sidewalks for lots fronting a local/interior street is established.
Sidewalks fronting a local/interior street shall be required along street fronts and sides of lots at the time of building improvements on the lot. A note on the plat shall be required to this effect prior to subdivision recording. For residential subdivisions, sidewalks shall also be installed at a minimum of three feet from the street curb, or in line with existing sidewalks in the area. This amendment is addressed on Sections 109-124(F)(4) and 109-124(F)(9).

4. A provision to address sidewalk gaps is established for residential subdivisions for lots fronting a local/interior street. A sidewalk assessment shall be paid by the developer for each of the interior lots in the subdivision in the amount of fifteen (15) percent of the total cost estimate. The funds shall be used to address sidewalk gaps, if necessary, after an approximate ten year period after subdivision recording (ATTACHMENTS I-IV). This amendment is addressed on Section 109-124(F)(7).

5. The section addressing curb ramps is expanded to incorporate lots fronting local /interior streets. Currently, sidewalks and ADA curb ramps are required for lots fronting arterial and collector streets only. The proposed amendment will require curb ramps on all street intersections at the developer’s expense prior to the recording of the subdivision. The curb ramps must be certified by an ADA consultant prior to recording. This amendment is addressed on Section 109-124(F)(6).

- The proposed changes to the Code of Ordinances have been reviewed and approved by the City Attorney and the City Engineer.

- The proposed changes to the Code of Ordinances are noted on the attached ordinance with the additions **underlined** and the deletions **stricken**.

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

<table>
<thead>
<tr>
<th>Staff Recommendation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff recommends approval subject to the ordinance.</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>City Attorney’s approval:</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/7/09 Yes □ No □ N/A</td>
</tr>
</tbody>
</table>
Attachment I
Example of a Sidewalk Gap in a Residential Subdivision
<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>Year Recorded</th>
<th>LOTS</th>
<th>Improvements</th>
<th>Percentage Built-Out</th>
<th>Sidewalk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Alamos East</td>
<td>1999</td>
<td>66</td>
<td>66</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Rissiker Subdivision</td>
<td>1999</td>
<td>12</td>
<td>8</td>
<td>67%</td>
<td>NO</td>
</tr>
<tr>
<td>Skyview Terrace Subdivision</td>
<td>1999</td>
<td>52</td>
<td>51</td>
<td>98%</td>
<td>NO</td>
</tr>
<tr>
<td>Tucker Road Unit II</td>
<td>1999</td>
<td>14</td>
<td>11</td>
<td>73%</td>
<td>NO</td>
</tr>
<tr>
<td>Junior Country Estates Ph. 1</td>
<td>1999</td>
<td>44</td>
<td>43</td>
<td>93%</td>
<td>NO</td>
</tr>
<tr>
<td>Summerfield Estates Unit No. 3</td>
<td>2000</td>
<td>41</td>
<td>41</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Altas Palms Estates</td>
<td>2000</td>
<td>30</td>
<td>20</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Summerfield Estates Unit No. 4</td>
<td>2000</td>
<td>38</td>
<td>38</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Sunset View Estates</td>
<td>2000</td>
<td>39</td>
<td>39</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Wild Olive Estates</td>
<td>2000</td>
<td>20</td>
<td>16</td>
<td>80%</td>
<td>NO</td>
</tr>
<tr>
<td>Wildwood Subdivision Unit 2</td>
<td>2000</td>
<td>25</td>
<td>25</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Wild Olive Court Subdivision</td>
<td>2000</td>
<td>16</td>
<td>16</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Town &amp; Country Estates</td>
<td>2001</td>
<td>50</td>
<td>50</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Treasure Hills Citrus Club Blk 3A, 5, Sec 1</td>
<td>2001</td>
<td>54</td>
<td>39</td>
<td>72%</td>
<td>NO</td>
</tr>
<tr>
<td>Ben Rice Subdivision</td>
<td>2001</td>
<td>20</td>
<td>18</td>
<td>90%</td>
<td>YES</td>
</tr>
<tr>
<td>A.M. Plant the Fairways at Cottonwood Cr. 5-10</td>
<td>2001</td>
<td>17</td>
<td>5</td>
<td>29%</td>
<td>NO</td>
</tr>
<tr>
<td>Coral Tree Estates Subdivision Ph. III</td>
<td>2001</td>
<td>113</td>
<td>113</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Summer View Estates</td>
<td>2001</td>
<td>26</td>
<td>18</td>
<td>69%</td>
<td>NO</td>
</tr>
<tr>
<td>Park Meadows Section V</td>
<td>2001</td>
<td>36</td>
<td>31</td>
<td>86%</td>
<td>NO</td>
</tr>
<tr>
<td>Lazy Palms Subdivision Ph. 1</td>
<td>2002</td>
<td>130</td>
<td>90</td>
<td>69%</td>
<td>NO</td>
</tr>
<tr>
<td>Alexandria Estates Subdivision</td>
<td>2002</td>
<td>16</td>
<td>8</td>
<td>50%</td>
<td>NO</td>
</tr>
<tr>
<td>Springfield Estates No. 1</td>
<td>2002</td>
<td>53</td>
<td>52</td>
<td>98%</td>
<td>YES</td>
</tr>
<tr>
<td>Secluded Acres No. 3</td>
<td>2002</td>
<td>60</td>
<td>54</td>
<td>90%</td>
<td>NO</td>
</tr>
<tr>
<td>Honeywinkle Estates</td>
<td>2002</td>
<td>46</td>
<td>45</td>
<td>98%</td>
<td>NO</td>
</tr>
<tr>
<td>Algodon Estates</td>
<td>2002</td>
<td>11</td>
<td>10</td>
<td>91%</td>
<td>NO</td>
</tr>
<tr>
<td>Sun Country Estates Phase II</td>
<td>2002</td>
<td>62</td>
<td>56</td>
<td>90%</td>
<td>NO</td>
</tr>
<tr>
<td>Lazy Palms Subdivision Phase II</td>
<td>2002</td>
<td>110</td>
<td>96</td>
<td>87%</td>
<td>NO</td>
</tr>
<tr>
<td>Tucker Manor Subdivision, Section V</td>
<td>2002</td>
<td>34</td>
<td>31</td>
<td>94%</td>
<td>NO</td>
</tr>
<tr>
<td>America’s Play of Vista Verde Subdivision Ph. 1</td>
<td>2002</td>
<td>111</td>
<td>95</td>
<td>95%</td>
<td>YES</td>
</tr>
<tr>
<td>Wildwood Subdivision Unit 3</td>
<td>2003</td>
<td>28</td>
<td>28</td>
<td>100%</td>
<td>NO</td>
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<tr>
<td>New Hope Subdivision</td>
<td>2003</td>
<td>9</td>
<td>9</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Adam’s Crossing Subdivision Phase I</td>
<td>2003</td>
<td>65</td>
<td>65</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>South Palm Estates</td>
<td>2003</td>
<td>13</td>
<td>13</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Springfield Estates No. 2</td>
<td>2003</td>
<td>52</td>
<td>52</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Water’s Edge Phase I</td>
<td>2003</td>
<td>74</td>
<td>61</td>
<td>84%</td>
<td>YES</td>
</tr>
<tr>
<td>Live Oak Estates No. 1</td>
<td>2003</td>
<td>37</td>
<td>37</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Hawkerford Square Subdivision Phase III</td>
<td>2003</td>
<td>10</td>
<td>10</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Hickory Hill Subdivision Phase 1</td>
<td>2004</td>
<td>80</td>
<td>80</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Vista Verde Ph. II</td>
<td>2004</td>
<td>96</td>
<td>96</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Morning Dove Subdivision</td>
<td>2004</td>
<td>11</td>
<td>11</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Avalon Subdivision</td>
<td>2005</td>
<td>14</td>
<td>14</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Plaza Estates South Phase I</td>
<td>2004</td>
<td>76</td>
<td>76</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Water’s Edge Phase II</td>
<td>2004</td>
<td>46</td>
<td>46</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Ben Rice No. 3 Subdivision</td>
<td>2004</td>
<td>22</td>
<td>20</td>
<td>91%</td>
<td>NO</td>
</tr>
<tr>
<td>Springfield Estates No. 3</td>
<td>2005</td>
<td>48</td>
<td>48</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Adams Crossing Subdivision No. 2</td>
<td>2005</td>
<td>59</td>
<td>58</td>
<td>98%</td>
<td>NO</td>
</tr>
<tr>
<td>Remington Subdivision Ph. 3</td>
<td>2005</td>
<td>79</td>
<td>79</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Hickory Hill Phase 2</td>
<td>2005</td>
<td>86</td>
<td>82</td>
<td>95%</td>
<td>YES</td>
</tr>
<tr>
<td>Windfield Estates Subdivision</td>
<td>2006</td>
<td>25</td>
<td>24</td>
<td>96%</td>
<td>NO</td>
</tr>
<tr>
<td>Wildwood Subdivision Unit 4</td>
<td>2006</td>
<td>49</td>
<td>49</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Dilworth Ranch Estates</td>
<td>2005</td>
<td>63</td>
<td>35</td>
<td>56%</td>
<td>NO</td>
</tr>
<tr>
<td>Thomasville Estates</td>
<td>2005</td>
<td>33</td>
<td>11</td>
<td>33%</td>
<td>NO</td>
</tr>
<tr>
<td>Acadian Subdivision</td>
<td>2006</td>
<td>32</td>
<td>32</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Riverview Subdivision</td>
<td>2006</td>
<td>44</td>
<td>33</td>
<td>75%</td>
<td>NO</td>
</tr>
<tr>
<td>Adams’ Crossing Subdivision No. 3</td>
<td>2006</td>
<td>61</td>
<td>61</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>Stonebriar Estates Ph Subdivision</td>
<td>2006</td>
<td>50</td>
<td>47</td>
<td>94%</td>
<td>YES</td>
</tr>
<tr>
<td>Stone Bridge Estates</td>
<td>2006</td>
<td>18</td>
<td>17</td>
<td>94%</td>
<td>YES</td>
</tr>
<tr>
<td>Hidden Lake Subdivision No. 3</td>
<td>2006</td>
<td>12</td>
<td>10</td>
<td>83%</td>
<td>NO</td>
</tr>
<tr>
<td>Springfield Estates Subdivision No. 4</td>
<td>2006</td>
<td>35</td>
<td>35</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>Kiskadee Heights</td>
<td>2006</td>
<td>20</td>
<td>18</td>
<td>90%</td>
<td>NO</td>
</tr>
<tr>
<td>New Hampton Village Ph. 1</td>
<td>2006</td>
<td>22</td>
<td>20</td>
<td>91%</td>
<td>NO</td>
</tr>
<tr>
<td>Alutrinwood Subdivision Ph. 2</td>
<td>2007</td>
<td>18</td>
<td>14</td>
<td>76%</td>
<td>NO</td>
</tr>
</tbody>
</table>

form revised 04/29/09
## RESIDENTIAL SUBDIVISIONS (WITH TEN OR MORE LOTS) RECORDED IN HARLINGEN SINCE THE YEAR 1999 WITH PERCENTAGE OF DEVELOPMENT

<table>
<thead>
<tr>
<th>SUBDIVISION NAME</th>
<th>YEAR-recorded</th>
<th>LOTS</th>
<th>IMPROVEMENTS</th>
<th>PERCENTAGE BUILT-OUT</th>
<th>SIDEWALK</th>
</tr>
</thead>
<tbody>
<tr>
<td>63 PALOMA LANE SUBDIVISION</td>
<td>2007</td>
<td>35</td>
<td>29</td>
<td>83%</td>
<td>NO</td>
</tr>
<tr>
<td>64 EL CIELO SUBDIVISION</td>
<td>2007</td>
<td>45</td>
<td>36</td>
<td>73%</td>
<td>NO</td>
</tr>
<tr>
<td>65 HICKORY HILL SUBDIVISION PH. III</td>
<td>2007</td>
<td>73</td>
<td>7</td>
<td>13%</td>
<td>NO</td>
</tr>
<tr>
<td>66 OAK VILLAGE OF HARLINGEN PH. I</td>
<td>2007</td>
<td>40</td>
<td>36</td>
<td>90%</td>
<td>No</td>
</tr>
<tr>
<td>67 WESTWAY SUBDIVISION PH. 1</td>
<td>2007</td>
<td>75</td>
<td>43</td>
<td>57%</td>
<td>YES</td>
</tr>
<tr>
<td>68 SPRINGFIELD ESTATES NO. 5</td>
<td>2008</td>
<td>55</td>
<td>35</td>
<td>100%</td>
<td>YES</td>
</tr>
<tr>
<td>69 NEW HAMPSHIRE VILLAGE PH. II,M-2</td>
<td>2008</td>
<td>21</td>
<td>19</td>
<td>90%</td>
<td>NO</td>
</tr>
<tr>
<td>70 TREASURE OAKS</td>
<td>2009</td>
<td>42</td>
<td>36</td>
<td>83%</td>
<td>YES</td>
</tr>
<tr>
<td>71 REPLAT OF PELICANS LANDING</td>
<td>2013</td>
<td>174</td>
<td>109</td>
<td>62%</td>
<td>YES</td>
</tr>
<tr>
<td>72 ESCONDIDO SUBDIVISION PH. 1</td>
<td>2011</td>
<td>39</td>
<td>24</td>
<td>61%</td>
<td>NO</td>
</tr>
<tr>
<td>73 PARK MEADOWS SUBDIVISION SEC. 6</td>
<td>2012</td>
<td>38</td>
<td>32</td>
<td>94%</td>
<td>NO</td>
</tr>
<tr>
<td>74 VILLAS AT PALM VALLEY SUBDIVISION</td>
<td>2013</td>
<td>42</td>
<td>13</td>
<td>31%</td>
<td>NO</td>
</tr>
<tr>
<td>75 OAK VILLAGE OF HARLINGEN PH. II</td>
<td>2013</td>
<td>31</td>
<td>31</td>
<td>100%</td>
<td>NO</td>
</tr>
<tr>
<td>76 LOS ARBOLES TERRACE PHASE 1</td>
<td>2013</td>
<td>36</td>
<td>7</td>
<td>19%</td>
<td>NO</td>
</tr>
<tr>
<td>77 LAS COLINAS OF TREASURE HILLS</td>
<td>2013</td>
<td>124</td>
<td>4</td>
<td>3%</td>
<td>NO</td>
</tr>
<tr>
<td>78 MESQUITE WOOD SUBDIVISION PHASE 1</td>
<td>2016</td>
<td>23</td>
<td>12</td>
<td>57%</td>
<td>YES</td>
</tr>
<tr>
<td>79 KINGS VILLAGE</td>
<td>2017</td>
<td>47</td>
<td>0</td>
<td>0%</td>
<td>NO</td>
</tr>
<tr>
<td>80 OAK RANCH PH 1</td>
<td>2017</td>
<td>15</td>
<td>4</td>
<td>27%</td>
<td>YES</td>
</tr>
<tr>
<td>81 ADAMS CROSSING PH 4</td>
<td>2018</td>
<td>41</td>
<td>6</td>
<td>15%</td>
<td>YES</td>
</tr>
<tr>
<td>82 ESCONDIDO PH 2</td>
<td>2018</td>
<td>40</td>
<td>0</td>
<td>0%</td>
<td>YES</td>
</tr>
</tbody>
</table>

**TOTAL FROM 1999 TO 2009**

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3302</td>
<td>2626</td>
<td>85%</td>
<td></td>
</tr>
</tbody>
</table>
Attachment III

LOCATION OF RESIDENTIAL SUBDIVISION WITH TEN LOTS OR MORE RECORDED IN HARLINGEN SINCE 1999.
<table>
<thead>
<tr>
<th>Attachment IV</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ON-LINE SEARCH OF SUBDIVISION SIDEWALK REQUIREMENTS FOR THE MAJOR CITIES IN THE RIO GRANDE VALLEY</strong></td>
</tr>
<tr>
<td><strong>HARLINGEN</strong></td>
</tr>
<tr>
<td>ON THE SUBDIVISION SIDE OF ALL ARTERIAL STREETS ADJACENT TO THE SUBDIVISION AND ON BOTH SIDES OF ARTERIAL STREETS WITHIN THE SUBDIVISION (EXCEPT ON ROADS WITHOUT CURB AND GUTTER).</td>
</tr>
<tr>
<td>ON THE SUBDIVISION SIDE OF ALL COLLECTOR STREETS ADJACENT TO THE SUBDIVISION, AND ON BOTH SIDES OF ALL COLLECTOR STREETS WITHIN THE SUBDIVISION (EXCEPT ON ROADS WITHOUT CURB AND GUTTER).</td>
</tr>
<tr>
<td>SIDEWALKS SHALL BE FIVE FEET IN WIDTH (EXCEPT WHEN NECESSARY TO MATCH EXISTING MID-BLOCK TERMINATIONS IN WHICH CASE A TRANSITION AREA OF TEN FEET OR LESS WILL BE ACCEPTABLE).</td>
</tr>
<tr>
<td>SUCH ADDITIONAL SIDEWALKS AS THE CITY STAFF OR PLANNING AND ZONING COMMISSION MAY DEEM NECESSARY OR AS THE SUBDIVIDER MAY DESIRE.</td>
</tr>
<tr>
<td>ADDITIONALLY, A SIDEWALK SHALL BE INSTALLED ON BOTH SIDES OF ALL STREETS WITHIN 1,000 FEET OF A SCHOOL.</td>
</tr>
<tr>
<td>NO SIDEWALK SHALL BE TERMINATED IN MID-BLOCK, AND SHALL BE CONTINUED TO THE NEXT STREET INTERSECTION OR TO THE BOUNDARY OF THE SUBDIVISION.</td>
</tr>
<tr>
<td>SIDEWALKS SHALL BE INSTALLED AT THE SUBDIVIDER’S EXPENSE AT THE TIME THE CURB AND GUTTER IS INSTALLED AND MAY BE CONTIGUOUS WITH THE CURB AND GUTTER; PROVIDED, HOWEVER THAT THEY SHALL BE INSTALLED WITH DUE CONSIDERATION BEING GIVEN TO EXISTING TREES AND SHRUBBERY OR PROPOSED MAILBOXES WHICH MAY REQUIRE INSTALLATION AWAY FROM THE CURB FOR A SHORT DISTANCE IN ORDER TO PREVENT REMOVAL OF SUCH FEATURES.</td>
</tr>
<tr>
<td>ALL SIDEWALKS INSTALLED SHALL CONNECT WITH ANY EXISTING SIDEWALKS ADJACENT TO, OR PART OF THE SUBDIVISION.</td>
</tr>
<tr>
<td>SIDEWALK PLANS SHALL BE REQUIRED FOR ALL SUBDIVISIONS. PLANS SHALL BE DEVELOPED PURSUANT TO CHAPTER 320, ARTICLE II. SIDEWALK FACILITIES.</td>
</tr>
<tr>
<td>SIDEWALKS SHALL BE CONSTRUCTED OF CONCRETE UNLESS OTHERWISE APPROVED BY THE ENGINEERING DEPARTMENT.</td>
</tr>
<tr>
<td>SIDEWALKS SHALL BE FOUR FEET IN WIDTH, AND LOCATED ADJACENT AND PARALLEL TO THE PROPERTY LINE WITH A MINIMUM U-PAVED PARKWAY WIDTH OF FOUR FEET. THE PARKWAY WIDTH IS THE DISTANCE FROM THE BACK OF CURB TO THE LEADING EDGE OF THE SIDEWALK.</td>
</tr>
<tr>
<td>IF PHYSICAL CONSTRAINTS, SIDEWALK CONTINUITY, URBAN TYPE DEVELOPMENT OR OTHER FACTORS REQUIRE SIDEWALKS TO BE PLACED AGAINST THE BACK OF CURB, THE WIDTH OF SIDEWALK SHALL BE INCREASED TO A MINIMUM OF FIVE FEET.</td>
</tr>
<tr>
<td>IF ANY CONNECTION OPPORTUNITIES EXIST, SIDEWALKS MUST BE CONNECTED. ADDITIONALLY, IT SHALL BE THE DUTY OF THE DEVELOPER OR OWNER OF THE LOT OR PARCEL OF LAND TO ENSURE THE CONTINUATION OF ALL EXISTING SIDEWALKS AND SHALL MATCH EXISTING WIDTHS AND DIMENSIONS. THE LOT OWNER SHALL ASSUME THE RESPONSIBILITY OF INSTALLATION, MAINTENANCE AND REPAIR OF THE REQUIRED SIDEWALKS ALONG THE FRONTAGE(S) UPON OCCUPANCY OF THE STRUCTURE ON THE LOT.</td>
</tr>
<tr>
<td><strong>BROWNSVILLE</strong></td>
</tr>
<tr>
<td>NEWLY-DEVELOPING AREAS</td>
</tr>
<tr>
<td>SIDEWALKS ARE REQUIRED ON BOTH SIDES OF ALL PUBLICLY-MAINTAINED STREETS WITHIN THE CITY.</td>
</tr>
<tr>
<td>THE LOCATION AND DESIGN OF SIDEWALKS SHALL NORMALLY BE DETERMINED DURING THE SUBDIVISION PROCESS OR IF SUBDIVISION HAS ALREADY OCCURRED THEN AT THE SITE REVIEW/BUILDING PERMIT PROCESS.</td>
</tr>
<tr>
<td>DUE TO THE POTENTIAL DAMAGE SIDEWALKS CAN INCUR DURING THE CONSTRUCTION OF HOMES AND OTHER BUILDINGS, SIDEWALKS SHOULD NOT BE INSTALLED UNTIL BUILDING WORK HAS BEEN COMPLETED ON INDIVIDUAL PROPERTIES. EXCEPTIONS MAY BE MADE FOR STREETS THAT ARE WITHOUT DIRECT PROPERTY ACCESS.</td>
</tr>
<tr>
<td>IMPLEMENTATION AND CONSTRUCTION COSTS OF ALL SIDEWALKS IN NEWLY DEVELOPING AREAS SHALL BE PAID FOR BY THE DEVELOPER, BUILDER OR PROPERTY OWNER. THE CITY SHALL NOT BE LIABLE FOR ANY SIDEWALK IMPLEMENTATION OR CONSTRUCTION COSTS.</td>
</tr>
<tr>
<td>ALL REQUIRED SIDEWALKS SHALL BE INSTALLED PRIOR TO FINAL INSPECTION OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.</td>
</tr>
<tr>
<td><strong>SAN BENITO</strong></td>
</tr>
<tr>
<td>ALL SIDEWALKS SHALL BE A MINIMUM OF FOUR (4) FEET WIDE, EXCLUDING CURB WIDTH. SIDEWALKS SHALL BE INSTALLED AT SUBDIVIDER’S EXPENSE AT THE TIME THE CURB AND GUTTER IS INSTALLED AND SHALL BE CONTIGUOUS WITH THE CURB AND GUTTER; PROVIDED HOWEVER THAT THEY SHALL BE INSTALLED WITH DUE CONSIDERATION BEING GIVEN TO EXISTING TREES AND SHRUBBERY WHICH MAY REQUIRED INSTALLATION AWAY FROM THE CURB FOR A SHORT DISTANCE IN ORDER TO PREVENT REMOVAL OF SUCH FEATURES.</td>
</tr>
<tr>
<td>ALL SIDEWALKS INSTALLED SHALL CONNECT WITH ANY EXISTING SIDEWALKS ADJACENT TO OR PART OF THE SUBDIVISION.</td>
</tr>
<tr>
<td>ALL SIDEWALKS INSTALLED SHALL HAVE RAMPS INSTALLED FOR THE HANDICAPPED IN ACCORDANCE WITH ADA REQUIREMENTS.</td>
</tr>
<tr>
<td>SIDEWALKS SHALL BE PLACED EITHER FIVE (5) FEET FROM PROPERTY LINE OF FIVE (5) FEET FROM THE EDGE OF THE PAVEMENT OR CURB. SIDEWALKS SHALL BE FIVE (5) FEET IN WIDTH IF PLACED RIGHT NEXT TO CURB OR FOUR (4) FEET IN WIDTH IF PLACED FOUR (4) FEET AWAY FROM CURB TO ALLOW A LAWNMOWER PROPER ACCESS.</td>
</tr>
</tbody>
</table>

*form revised 04/29/09*
### Attachment IV cont.

#### ON-LINE SEARCH OF SUBDIVISION SIDEWALK REQUIREMENTS FOR THE MAJOR CITIES IN THE RIO GRANDE VALLEY

<table>
<thead>
<tr>
<th>City</th>
<th>Sidewalk Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>McAllen</td>
<td>A sidewalk complying with the provisions of this section shall be provided at the fronts of lots, and also along the street sides of corner lots at the time of completing construction of building improvements on the lot. A sidewalk shall be provided by the developer along perimeter streets of subdivisions at the time of completing perimeter street improvements. All sidewalks shall be not less than four feet in width and four inches in depth, and of concrete, stone, or masonry construction; provided, that a greater width may be required in multifamily, commercial and industrial areas. Sidewalks shall be as nearly parallel to the street as possible. Sidewalks shall be placed so that they are at least three feet from the curb or in line with existing sidewalks in the area. In lieu of construction, cash or its equivalent may be deposited with the city in a sum equal to the actual cost of construction, plus any engineering that might be required, as an alternative to the mandatory construction of sidewalks. Such funds will be set aside by the city for the installation of sidewalks as the need arises. Additional sidewalks may be provided as deemed necessary and in the interest of the city by the Planning and Zoning Commission in commercial, industrial, public and multifamily areas; and such additional sidewalks as the developer may desire shall be permitted.</td>
</tr>
<tr>
<td>Edinburg</td>
<td>Sidewalk Plan and Permit Required: A sidewalk plan shall be submitted with the preliminary plat, development plat, and minor plat application and with the building permit application for unplatted property. A sidewalk permit shall be required to ensure compliance with the approved sidewalk plan. The sidewalk permit shall be filed with and reviewed by the city engineer in accordance with the permit requirements. Sidewalks shall be provided in the area between the parkway and the edge of the right-of-way, as shown in the engineering standards manual, latest edition. The outer boundaries of sidewalks shall be located in the platted street right-of-way. Generally, one foot from the property line. This one foot width shall be subtracted from the required parkway width. Sidewalks may meander into the parkway to protect the root system of a mature tree, provided that no sidewalk be located closer than four feet to the back of curb or edge of pavement if no curb is present. This arrangement shall not reduce the right-of-way width requirement. Sidewalks shall also be installed in any pedestrian easements as may be required by the Planning Department. Modification of sidewalk requirements. Sidewalk requirements may be altered or waived if a sidewalk plan that provides equal or greater pedestrian circulation is submitted to and approved by the Planning and Zoning Commission at the time of platting. These trade-offs may be permitted in suburban estate developments to allow off-street trails in lieu of sidewalks, thereby meeting the needs of walkers and cyclists, or in order to implement the city's parks and recreation master plan. Completion of sidewalk networks. In general, sidewalks should be constructed concurrent with street construction, with special provisions to protect their condition and integrity during the process of building construction. However, this requirement may be waived at the discretion of the Planning and Zoning Commission if reasonable assurances are provided that sidewalk segments across individual lots will be constructed after buildings are constructed on the individual lots, but before they are occupied; and the timing and phasing of development will result in the completion of the sidewalks on each street segment within 2 years of the date that building construction on the street segment is commenced. Sidewalks should be installed along street corridors on a priority basis in areas where they are not currently available.</td>
</tr>
</tbody>
</table>

*Form revised 04/29/09*
CONSIDER AND TAKE ACTION TO APPROVE A REQUEST TO AMEND THE CITY OF
HARLINGEN CODE OF ORDINANCES, CHAPTER 109 (SUBDIVISIONS), ARTICLE V,
STANDARDS AND SPECIFICATIONS, SECTION 109-124(F) SIDEWALKS, TO REQUIRE
SIDEWALKS ON LOCAL STREETS AND PERIMETER STREETS.
APPLICANT: CITY OF HARLINGEN

Mr. Cervantes summarized the following:

Summary
- Attached to the summary are sections of the City of Harlingen Code of Ordinances,
  Chapter 109, Article V, Section 109-124(F) proposed for amendment. These amendments have
  been drafted after receiving direction from the City Manager to bring the sidewalk
  regulations in compliance with the 2014 ADA Transition Plan.

- The proposed amendments to the Code of Ordinances are grouped into five changes.
  Listed below is a summary of the amendments.

1. All streets will require sidewalks. Currently, sidewalks are required on major
   arterial, minor arterial, and major collector streets only. The proposed amendment will
   also require sidewalks on local/interior streets regardless of whether the
   residential subdivision is within 1,000 feet of a school. This amendment is
   addressed on Section 109-124(F)(1) on the attached ordinance.

2. Sidewalk requirements are clarified for subdivisions fronting a perimeter street.
   Sidewalks fronting a perimeter street shall be installed at the developer’s expense at
   the time curb and gutter is installed or if already there. If the perimeter street has no
   curb and gutter, the developer shall escrow funds for sidewalks. This
   amendment is addressed on Section 109-124(F)(1) and 109-124(F)(4).

3. The installation of sidewalks for lots fronting a local /interior street is established.
   Sidewalks fronting a local/interior street shall be required along street fronts and
   sides of lots at the time building improvements on the lot. A note on the plat shall
   be required to this effect prior to subdivision recording. For residential
   subdivisions, sidewalks shall also be installed at a minimum of three feet from the
   street curb, or in line with existing sidewalks in the area. This amendment is
   addressed on Sections 109-124(F)(4) and 109-124(F)(9).

4. A provision to address sidewalk gaps is established for residential subdivisions for lots
   fronting a local/interior street. A sidewalk assessment shall be paid by the
   developer for each of the interior lots in the subdivision in the amount of fifteen
   (15) percent of the total length. The funds shall be used to address sidewalk gaps, if
   necessary, after an approximate ten year period after subdivision recording
   This amendment is addressed on Section 109-
   124(F)(7).

5. The section addressing curb ramps is expanded to incorporate lots fronting local
   /interior streets. Currently, sidewalks and ADA curb ramps are required for lots
   fronting arterial and collector streets only. The proposed amendment will require
   curb ramps on all street intersections at the developer’s expense prior to the
   recording of the subdivision. The curb ramps must be certified by an ADA
   consultant prior to recording. This amendment is addressed on Section 109-
   124(F)(6).

Staff recommended approval of the ordinance amendments.
Cmr. Wolf asked if the 15% of the total estimate for the entire subdivision would be required at the time of recording?

Mr. Cervantes answered yes, for the internal streets the project engineer would need to give a total estimate of the cost to build sidewalks for all the internal streets. After the estimate is approved by the city engineering department then the 15% escrow would have to be given. For the perimeter sidewalks, the city would still require actual construction or 100 percent of the cost in escrow.

Mr. Cervantes also informed the members with this ordinance if approved ADA curb ramps would be required upfront at all intersections.

Cmr. Wolf asked why?

Mr. Cervantes answered that ADA compliance is required and not all contractors are aware of this. He added that many times home contractors don’t want to build them or build them incorrectly.

Cmr. Wolf said that this might have an odd appearance in subdivisions.

Mr. Cervantes stated this would ensure the curb ramps would be built correctly since we would require a certification of the ramps by an ADA consultant prior to the subdivision recording.

Cmr. Wolf asked when a street overlay happens gaps should be filled in during this time. How many years or what percent and is there a threshold needed to be met?

Mr. Cervantes answered there is no threshold but that the plan is to fill the gaps after 10 years of subdivision recording but could be sooner if the subdivision is 90 to 95 percent built out after a few years of recording and we get complaints from the residents. Mr. Cervantes added that approximately after 10 years of subdivision recordings is when the city is scheduled to conduct a street overlay. Whenever the street overlay project happens is when the gaps would be filled if any.

Cmr. Wolf asked what is the average age?

Mr. Cervantes explained that staff conducted a study of the residential subdivisions recorded in Harlingen between the years 1999 and 2009 and determined based on data from the Appraisal District that on the average those subdivisions are 85 percent built-out and that is where the 15 percent in escrow requirement for the internal street sidewalks came from. Mr. Cervantes also explained that language was added to the ordinance that states the city could use the escrow funds to conduct sidewalk repairs as necessary but that the funds must be spent in the particular subdivision and not somewhere else.

Cmr. Lowry mentioned that he would like to have some type of language that mentions how long those funds are held in escrow and how those funds are communicated with the developers so that any reimbursement of escrows to the developer would not be arbitrary.

Mr. Cervantes stated that for number 7 in the ordinance language could be added at the end stating that guidelines must be developed and adopted for the proper management of the escrow funds.
Cmr. Lowry motioned to approve the ordinance as recommended by staff but adding language stating that guidelines must be developed and adopted by the city for the proper management of the sidewalk escrow funds. Cmr. Wolf seconded the motion, which passed unanimously.
ORDINANCE NO. 19-______

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN CHAPTER 109 (SUBDIVISIONS), ARTICLE V STANDARDS AND SPECIFICATIONS, SECTION 109-124(F) SIDEWALKS, TO REQUIRE SIDEWALKS ON LOCAL AND PERIMETER STREETS; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

BE IT ORDAINED BY THE CITY OF HARLINGEN

SECTION I: That the Code of Ordinances of the City of Harlingen, Chapter 109 (Subdivisions), Article V Standards and Specification, Section 109-124(F) Sidewalks is hereby amended by adding the language underlined (added), and deleting the language that is stricken through (stricken) to read in full as follows:

Section 109-124 (F) Sidewalks

Sidewalks shall be required as follows: Sidewalks shall be installed at the expense of the developer in manners described as follows:

1. On the subdivision side of all arterial streets adjacent to the subdivision, and on both sides of arterial streets within the subdivision (except on roads without curb and gutter). For perimeter roadways with no curb and gutter the developer shall be required to escrow funds for sidewalks.

2. On the subdivision side of all collector streets adjacent to the subdivision, and on both sides of all collector streets within the subdivision (except on roads without curb and gutter).

32. Sidewalks shall be conform to the City of Harlingen Typical Sidewalk Detail and shall generally be a minimum of five (5) feet in width. (except when necessary to match existing mid-block terminations in which case a transition area of 10 feet or less will be acceptable). The City Engineer may direct placement and layout of sidewalks. The Developer shall pay the full cost to adjust utilities including manholes, and valve boxes where proposed sidewalks conflict with existing utilities.

43. Such additional sidewalks as the City staff or Planning & Zoning Commission may deem necessary or as the subdivider may desire; All sidewalks shall comply with the City of Harlingen 2014 ADA Transition Plan and the most recent version of the Texas Accessibility Standards.
5. Additionally, a sidewalk shall be installed on both sides of all streets within 1,000 feet of a school;

6. No sidewalk shall be terminated in mid-block, and shall be continued to the next street intersection or to the boundary of the subdivision.

7.4. Sidewalks for subdivisions fronting a perimeter street shall be installed at the subdivider's developer's expense at the time the curb and gutter is installed and may be contiguous with the curb and gutter; provided, however that they shall be installed with due consideration being given to existing trees and shrubbery or proposed mailboxes which may require installation away from the curb but within the city right-of-way for a short distance in order to prevent removal of such features. Sidewalks for all subdivisions which includes lots fronting an internal/local street, shall be provided along the street fronts of lots and along the street side of corner lots at the time of completing building improvements on the lot. A note on the plat to this effect shall be required prior to subdivision recording.

8.5. All sidewalks installed shall connect with any existing sidewalks adjacent to, or a part of the subdivision.

9.6. All sidewalks installed subdivisions shall have curb ramps at the street intersections and pull outs installed at the expense of the developer prior to the recording of the subdivision for the handicapped for people with disabilities in accordance with all State Texas Accessibility Standards and Federal ADA requirements. The curb ramps must be certified by a licensed ADA consultant prior to subdivision recording.

7. In a residential subdivision for the lots fronting an internal/local street, the developer shall pay a sidewalk assessment for the sidewalk fronting the lots in the amount of fifteen (15) percent of the total cost estimate in the subdivision as calculated in Section 109-191. These funds shall be used by the City of Harlingen to fill sidewalk gaps, if necessary, after an approximately ten year period after the subdivision recording. The funds could also be used for necessary repairs of the subdivision sidewalks. Guidelines must be developed and adopted for the proper management of the escrows.

10.8. All sidewalks installed shall meet the specifications as set forth in the sidewalk ordinance section of Chapter 141-40. (Additional sidewalks not required by this article may be required by Chapter 141-40 in commercial areas.)

9. Sidewalks for residential streets shall be placed so that they are at a minimum three (3) feet from the street curb or in line with existing sidewalks in the area.
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 ____________, 2019, 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
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: September 4, 2019

Agenda Item:
Consideration of the preliminary and final plat of the proposed Sun Country Subdivision with conditions and consider a variance request for the perimeter streets sidewalk requirements as per Section 109-124(f)(5), bearing a legal description of 38.202 acres of land out of Block 13, Harlingen Land and Water Company Subdivision "C", located on the north side of LaFayette Ave, west of Chester Park Road. Applicant: Ariel Chavez of CADCon Corp., c/o Beatriz Castellanos.

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

Brief Summary:

Project Timeline
- October 13, 2004 – Approval of the preliminary plat by the Planning and Zoning Commission.
- September 21, 2005 – Approval of the annexation of the subject property by the City Commission.
- October 13, 2006 – Preliminary plat approval expired
- March 3, 2017 – Preliminary and final plat application submitted to the City.
- March 15, 2017 – Subdivision reviewed by the Subdivision Review Committee.
- March 16, 2017 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- March 12, 2019 – Preliminary plat resubmitted based on deficiency letter; application deemed incomplete.
- April 17, 2019 – Subdivision reviewed by the Subdivision Review Committee.
- April 18, 2019 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- May 3, 2019 – Preliminary plat resubmitted based on deficiency letter; application deemed incomplete.
- May 24, 2019 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- July 31, 2019 – Preliminary and final plat resubmitted based on deficiency letter; application deemed incomplete.
- August 7, 2019 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- August 14, 2019 – Preliminary and final plat resubmitted based on deficiency letter; application deemed incomplete.
- August 20, 2019 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- August 26, 2019 – Variance application submitted to the City. (ATTACHMENT I).
August 29, 2019 – The Planning and Zoning Commission recommended approval of the preliminary and final plat with conditions, and recommended disapproval of the variance request for the perimeter streets sidewalk requirement by a 4 to 0 vote.

September 4, 2019 – Consideration of preliminary and final plat of the proposed Sun Country Subdivision with conditions and consider a variance request for the perimeter streets sidewalk requirements by the City Commission.

Summary

- The subject property is located at the northeast corner of Lafayette Avenue and Ramsey Road, and is within Harlingen city Limits. The road and utilities for the subdivision were constructed around 2004, but a final plat was never recorded. The plat approval for that submittal has since expired, and the applicant resubmitted in 2017, but did not complete the platting process.
- The proposed subdivision consists of 32 single family residential lots and 15 larger non-buildable lots. All streets and utility easements will be dedicated at this time. The non-buildable lots are to be replatted in the future, and a new drainage report will be prepared. (ATTACHMENT II).
- The intended use is allowed based on the existing zoning designation of Single Family Residential (R1) District.
- Water and sanitary sewer services will be provided by HWWS.
- Items on the list of conditions will be addressed prior to recording the plat of Sun Country Subdivision.
- The developer is requesting a variance from the City of Harlingen Code of Ordinances Section 109-124(f)(5) with regards to the required 5 feet sidewalk along the right-of-way for the perimeter streets. The developer is proposing to escrow funds with the City the equivalent of 15% of the estimated cost of the sidewalks for the perimeter streets.
- The Engineering Department reviewed the variance request and has no objection. (ATTACHMENT III).
- In accordance with Section 109-27(c) of the Harlingen Code of Ordinances, no variance shall be recommended unless the Planning and Zoning Commission finds:
  1. There are special circumstances or conditions affecting the land involved such that a strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land; and
  2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
  3. The granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property owners in the area; and
  4. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with this chapter.
- In addition, Section 109-27(d), states “Financial hardship to the subdivider.
standing alone, shall not be deemed to constitute undue hardship."

- A 4/5ths vote of the City Commission shall be required to override a recommendation for/or against the variance from P&Z Commission.

### Funding (if applicable):

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

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

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

### Staff Recommendation:

Staff recommends approval of the preliminary and final plat with the following conditions and with the following format corrections:

#### Conditions

1. Sidewalks on the perimeter streets must be installed or escrowed.
2. Submittal of mylars with necessary signatures;
3. Submittal of Cameron County Clerk Recording Fee;
4. Submittal of the required sidewalk escrows;
5. ADA curb ramps to be constructed prior to subdivision recording;
6. Certificate from ADA consultant approving the curb ramps; and
7. Letter from power company regarding street lights

#### Corrections

1. On Sheet 1 and Sheet 2, the R.O.W. for Chester Park Road is labeled at 60’ instead of 80’; please update. Additionally, the road name on both Sheet 1 and Sheet 2 reads “Chester Oak Road” please revise the spelling of “Park.”
2. On Sheet 1, concrete monuments must be set at the property corners, taking the corner clips into account, and provide elevations for the concrete monuments. As submitted the southwest corner has a concrete monument – this is incorrect, concrete monuments must be set at each corner clip and not at the property corner.
3. On Sheet 2, on the southeast corner lots 37 and 38 were reverted back to a large “POND” lot, please clarify or revise.
4. Note 7 on neither Sheet 1 or Sheet 2 reference the correct lots for the full length of Lafayette Ave. and Ramsey Rd. Revise the note and ensure all notes match between Sheet 1 and Sheet 2.
5. The layout of the lots and blocks need to match between Sheet 1 and Sheet 2.
6. On Sheet 1 and Sheet 2, the vicinity map, the metes and bounds, and the acreage description need to be consistent.
7. On Sheet 1 and Sheet 2, add note designating the non buildable lots.
8. On Sheet 1 and Sheet 2, add note stating sidewalks to be built at time of
construction.

9. Submit sidewalk estimate. Submit check for sidewalk escrow after approval of estimate.

10. On Sheet 1, update the signatures on the mylars or submit confirmation that the entities approve the changes.

11. On Sheet 1 and Sheet 2, coordinate with Harlingen Waterworks.

Staff recommends disapproval of the variance request for the perimeter street sidewalk requirement to allow escrow funds of 15 percent instead of 100 percent of the total sidewalk cost estimate for the perimeter streets with a note in the plat stating that sidewalks will be required during construction as:

1. The variance request generally does not comply with the findings outlined in the proposed amendments to the sidewalk ordinance as presented earlier in the agenda; and

2. The Engineering Department has no objection to the variance being granted.

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

Comments:

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

8/30/2019
CITY OF HARLINGEN PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION (Please PRINT or TYPE)
Project Address: 3800 W Lafayette St. Nearest Intersection: Wilson Rd. and Chester Park Rd.
(Proposed) Subdivision Name: SUN COUNTRY SUBDIVISION Lot: Block:
Existing Zoning Designation: Dwelling Future Land Use Plan Designation:

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)
Applicant/Authorized Agent: CADCon Corp. Phone: (956) 546-7146 FAX: (956) 546-7170
Email Address (for project correspondence only): ArielChavez2Gmail.com
Mailing Address: 1424 McKinley Street City: Brownsville State: TX Zip: 78521
Property Owner: Beatriz Castellanos (Lidia "Libby" Salazar) Phone: (956) 579-4776 FAX: (956) 546-7170
Email Address (for project correspondence only): SalazarLibbyYahoo.com
Mailing Address: 96 Raintree Path City: Brownsville State: TX Zip: 78521

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

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

- [X] Preliminary Plat ................. $100.00
- [X] 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: Development of Single-Family Dwelling lots with urban cross-section streets, and public water distribution and public wastewater collection systems.

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: 3/03/2017

Property Owner(s) Signature: __________________ Date: 3/03/2017

Accepted by: __________________________ Date: __________________________

RECEIVED
MAR 03 2017
August 25, 2019

Xavier Cervantes, AICP
Planning and Development Director
City of Harlingen Administration
502 E. Tyler Ave.
Harlingen, Texas 78550

RE: Sun Country Subdivision – Commitment on Sidewalk Corner Ramps

Dear Mr. Cervantes,

Pursuant to your conversation with our engineer Mr. Ariel Chávez II, P.E./R.P.L.S. on Friday, August 23, 2019 regarding the platting of Sun Country Subdivision, we hereby request a Variance on the City of Harlingen sidewalks requirement based on the following:

1. We will provide escrow for 10% (or as reasonably required) of the estimated cost of the sidewalks for the entire subdivision and, if required, for sidewalks along the frontage of the subdivision with Lafayette Avenue and Ramsey Road. This escrow is to cover the gaps that are left in undeveloped lots after the stipulated and required time, and we understand we will get the unused escrow returned to us after such time.

2. We will include a note on the plat stating that, when each home is constructed, all lot buyers will build sidewalks in conformance with City of Harlingen requirements, including Lafayette Avenue and Ramsey Road.

3. We commit to build ADA-compliant sidewalk ramps at the 24 internal corners of the curb and gutter in the entire subdivision in conformance with City of Harlingen specifications prior to the City of Harlingen recording the plat. Ramps will be certified by an ADA consultant.

4. We understand the City requires that all street lights are to be installed. We have a signed contract with Magic Valley Electric Cooperative (attached) to install those for the entire subdivision.

Should additional information be required, or questions arise, please feel free to contact my granddaughter Libby Salazar at the above phone number, or our engineer Mr. Ariel Chávez II, P.E./R.P.L.S. at (956) 592-3973 or at arielchavez2@gmail.com.

Sincerely,

SUN COUNTRY SUBDIVISION

BEATRIZ CASTELLANOS
Owner/Developer

BC/LS/ac
Harlingen Engineering Department  
502 E. Tyler Avenue  
Harlingen, TX 78550  
(956) 216-5290  
(956) 430-8113 (fax)

August 26, 2019

Mr. Albert Molina  
City Planner  
Planning & Development Department  
502 E. Tyler Ave.  
Harlingen, Texas 78550

RE: Review of Sun Country Subdivision (Preliminary and Final Plat Re-Submittal)

Dear Mr. Molina:

We are in receipt of the preliminary and final plats for the above referenced subdivision and they are approved pending submittal/clarification/addition of the following items:

- On the preliminary plat the R.O.W. for Chester Park Road is labeled at 60' instead of 80'; please update. Additionally, the road name on both preliminary and final plats reads “Chester Park Road” please revise the spelling of “Park.”
- Concrete monuments must be set at the property corners, taking the corner clips into account, and provide elevations for the concrete monuments. As submitted the southwest corner has a concrete monument – this is incorrect, concrete monuments must be set at each corner clip and not at the property corner.
- Preliminary Plat – On the southeast corner lots 37 and 38 were reverted back to a large “POND” lot, please clarify or revise.
- Note 7 on neither the preliminary or final plats reference the correct lots for the full length of Lafayette Ave. and Ramsey Rd. Revise the note and ensure all notes match between the preliminary and final plats.
- The reviewer’s comment does not relieve the Engineer/Developer/Contractor from complying with the City of Harlingen’s Subdivision Rules and Regulations.

If you have any questions, please feel free to contact me at (956) 216-5280 or via email at ogil@myharlingen.us.

Sincerely,

Olivia Gil

cc: Andy Vigstol, P.E., City Engineer
August 26, 2019

Mr. Joel Olivo
Planning and Zoning Manager
Planning & Development Department
502 E. Tyler Ave.
Harlingen, Texas 78550

RE: Review of Sidewalk Variance for Sun Country Subdivision

Dear Mr. Olivo:

We are in receipt of the sidewalk variance for the above-named subdivision and recommend approval of the request. The estimate for sidewalk must be submitted to the Engineering Department for review prior to approval.

If you have any questions, please feel free to contact me at (956) 216-5280 or via email at ogil@myharlingen.us.

Sincerely,

Olivia Gil

cc: Andy Vigstol, P.E., City Engineer

Mr. Molina summarized the following:

Summary
- The subject property is located at the northeast corner of Lafayette Avenue and Ramsey Road, and is within Harlingen city Limits. The road and utilities for the subdivision were constructed around 2004, but a final plat was never recorded. The plat approval for that submittal has since expired, and the applicant resubmitted in 2017, but did not complete the platting process.
- The proposed subdivision consists of 32 single family residential lots and 15 larger non buildable lots. All streets and utility easements will be dedicated at this time. The non buildable lots are to be replatted in the future, and a new drainage report will be prepared.
- The intended use is allowed based on the existing zoning designation of Single Family Residential (R1) District.
- Water and sanitary sewer services will be provided by HWWS.
- Items on the list of conditions will be addressed prior to recording the final plat of Sun Country Subdivision.
- The developer is requesting a variance from the City of Harlingen Code of Ordinances Section 109-124(f)(5) with regards to the required 5 feet sidewalk along the right-of-way for the internal and perimeter streets. The developer is proposing to escrow funds with the City the equivalent of 15% of the estimated cost of the sidewalks for the entire subdivision (internal and perimeter streets).
- The Engineering Department reviewed the variance request and has no objection.
- In accordance with Section 109-27(c) of the Harlingen Code of Ordinances, no variance shall be recommended unless the Planning and Zoning Commission finds:
  1. There are special circumstances or conditions affecting the land involved such that a strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land; and
  2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
  3. The granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property owners in the area; and
  4. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with this chapter.
- In addition, Section 109-27(d), states “Financial hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.”
- A 4/5ths vote of the City Commission shall be required to override a recommendation for/or against the variance from P&Z Commission.
Staff recommended approval of the preliminary and final plat with the following conditions and with the following format corrections:

**Conditions**

1. Sidewalks on the interior and perimeter streets must be installed or escrowed.
2. Submittal of mylars with necessary signatures;
3. Submittal of Cameron County Clerk Recording Fee;
4. Submittal of the required sidewalk escrows;
5. ADA curb ramps to be constructed prior to subdivision recording;
6. Certificate from ADA consultant approving the curb ramps; and
7. Letter from power company regarding street lights

**Corrections**

1. On Sheet 1 and Sheet 2, the R.O.W. for Chester Park Road is labeled at 60’ instead of 80’; please update. Additionally, the road name on both Sheet 1 and Sheet 2 reads “Chester Oak Road” please revise the spelling of “Park.”
2. On Sheet 1, concrete monuments must be set at the property corners, taking the corner clips into account, and provide elevations for the concrete monuments. As submitted the southwest corner has a concrete monument – this is incorrect, concrete monuments must be set at each corner clip and not at the property corner.
3. On Sheet 2, on the southeast corner lots 37 and 38 were reverted back to a large “POND” lot, please clarify or revise.
4. Note 7 on neither Sheet 1 or Sheet 2 reference the correct lots for the full length of Lafayette Ave. and Ramsey Rd. Revise the note and ensure all notes match between Sheet 1 and Sheet 2.
5. The layout of the lots and blocks need to match between Sheet 1 and Sheet 2.
6. On Sheet 1 and Sheet 2, the vicinity map, the metes and bounds, and the acreage description need to be consistent.
7. On Sheet 1 and Sheet 2, add note designating the non buildable lots.
8. On Sheet 1 and Sheet 2, add note stating sidewalks to be built at time of construction.
9. Submit sidewalk estimate. Submit check for sidewalk escrow after approval of estimate.
10. On Sheet 1, update the signatures on the mylars or submit confirmation that the entities approve the changes.
11. On Sheet 1 and Sheet 2, coordinate with Harlingen Waterworks.

Staff recommended approval of the variance request for the internal street sidewalk requirement to allow escrow funds of 15 percent instead of 100 percent of the total sidewalk cost estimate with a note in the plat stating that sidewalks will be required during construction as:

1. The variance request generally does not comply with the findings outlined in the proposed amendments to the sidewalk ordinance as presented earlier in the agenda; and
2. The Engineering Department has no objection to the variance being granted

Staff recommended disapproval of the variance request for the perimeter street sidewalk requirement to allow escrow funds of 15 percent instead of 100 percent of the total sidewalk cost estimate with a note in the plat stating that sidewalks will be required during construction as:
1. The variance request generally does not comply with the findings outlined in the proposed amendments to the sidewalk ordinance as presented earlier in the agenda.

Cmr. Lowry asked if what we approved as an ordinance amendment will be applied to this.

Mr. Molina replied that is correct for the internal streets.

Mr. Cervantes stated except for the perimeter sidewalks, which would still be required to be constructed or escrowed 100% upfront.

Cmr. Lowry stated right because the ordinance is still 100% construction or escrow on the perimeter.

Mr. Cervantes stated that the developer is proposing along the perimeter 15% escrows with a note on the plat that they would require a sidewalk on the rear on Ramsey and on Lafayette Road when those lots get built.

Cmr. Lowry asked if they will have access to those roads.

Mr. Cervantes said no and that they will have a sidewalk in the front and in the back, but no vehicle access. As the whole thing fills up, there is supposed to be a complete sidewalk along Ramsey Road and Lafayette.

Cmr. Lowry motioned to approve the preliminary and final plat subject to the list of conditions, approve the variance for the interior escrow amount, and reject the variance for the reduction of escrow for the exterior sidewalks following the staff recommendation. Cmr. Camacho seconded the motion, which passed unanimously with 4 members present and voting.
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: September 4, 2019

Agenda Item:
Consider and take action to approve naming the mountain bike trail “Henry Roberts Loop” in memory of Mr. Henry Roberts.

Prepared By: Javier Mendez
Title: Director of Parks and Recreation
Signature:

Brief Summary:

Timeline
- June 18, 2018 – The City Parks and Recreation Advisory Board met and recommended constructing a mountain bike trail on the 25 acres donated to the city by Mrs. Maxine Elkins.
- July 18, 2018 – The Commission directed staff at the City Commission meeting to move forward with the construction of a Mountain Bike Trail on the donated 25 acres adjacent to Arroyo Park.

Summary
A group of local mountain bikers helped design and build a portion of a Mountain Bike Trail next to Arroyo Park on New Hampshire Street. The person that led this group and advocated for this trail was Mr. Henry Robert’s owner of Bicycle World. It was during this time that Mr. Roberts fell ill and could not physically help with the construction. The group of volunteers continued to work weekends and holidays together with our staff. They have cleared and opened a little over 2 miles out of the total 6.2 miles of trail. At our last Mayors Wellness Council meeting the board voted to recommend to the City Commission naming the trail in memory of Mr. Henry Roberts. I have checked with the attorney representing Mrs. Elkins, the donor of the land and he has assured me that they have no concerns naming the trail. I have also visited with the Robert’s family to make sure that naming the trail in their Husband/Father’s memory was appropriate.

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:

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

Staff Recommendation:
Staff recommends to the City Commission to approve naming the trail as Henry Robert’s Loop.

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

Comments:

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

form revised 04/29/09
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: September 4, 2019

**Agenda Item:**
Consider and take action to authorize the Harlingen Police Department to auction off a total of eight (8) motor vehicles, one (1) trailer and two (2) generators using the GovDeals.com auction website. These vehicles have been taken out of service.

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<th>Prepared By (Print Name):</th>
<th>Michael Kester</th>
</tr>
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<tbody>
<tr>
<td>Title:</td>
<td>Chief of Police</td>
</tr>
<tr>
<td>Signature:</td>
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**Brief Summary:**
The Harlingen Police Department would like to auction off a total of eight (8) motor vehicles, one (1) trailer and two (2) generators using the GovDeals.com auction website. These vehicles, generators and trailer have been removed from service since the Police Department has no practical use for them. They are a mix of awarded seized vehicles and general patrol units. Funding is also a mix of Forfeiture Funds and General funds.

**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:**
Recommend that the motor vehicles and trailer listed herein be auctioned off using the GovDeals.com auction website.

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

**Comments:**

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

form revised 01/26/09
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<td>573</td>
<td>2000</td>
<td>Jeep</td>
<td>Cherokee</td>
<td>Red</td>
<td>1J4G248S3YC170587</td>
<td>LDB-6142</td>
</tr>
<tr>
<td>To be sold</td>
<td>386</td>
<td>2007</td>
<td>Chevrolet</td>
<td>Malibu</td>
<td>Aqua</td>
<td>1G1ZS58F27F277692</td>
<td>140-0203</td>
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<tr>
<td>To be sold</td>
<td>154</td>
<td>2008</td>
<td>Ford</td>
<td>Crown Victoria</td>
<td>Blk/Whi</td>
<td>2FAFP71V38X139020</td>
<td>123-6536</td>
</tr>
<tr>
<td>To be sold</td>
<td>259</td>
<td>2010</td>
<td>Ford</td>
<td>Crown Victoria</td>
<td>Blk/Whi</td>
<td>2FABP7B60A1X110092</td>
<td>105-3206</td>
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<td>510</td>
<td>2009</td>
<td>Honda</td>
<td>ST1300PA</td>
<td>Blk/Whi</td>
<td>JH25C51779K500564</td>
<td>XY1-908</td>
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<tr>
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<td>520</td>
<td>2006</td>
<td>Freemont</td>
<td>MEP-831A</td>
<td>Green</td>
<td>Generator</td>
<td></td>
</tr>
<tr>
<td>To be sold</td>
<td>521</td>
<td>2006</td>
<td>Freemont</td>
<td>MEP-831A</td>
<td>Green</td>
<td>Generator</td>
<td></td>
</tr>
<tr>
<td>To be sold</td>
<td>648</td>
<td>2000</td>
<td>Lincoln</td>
<td>Town Car</td>
<td>Green</td>
<td>1LNHM82W4YY762439</td>
<td>CYB-8237</td>
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