Notice is hereby given that the above governmental body will hold a Regular Meeting on Wednesday, January 15th, 2020 at 5:30 P.M. at City Hall, Town Hall Meeting Room, 2nd Floor, Harlingen, Texas.

City of Harlingen meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary’s Office at (956) 216-5001 or write Post Office Box 2207, Harlingen, Texas 78550 at least 48 hours in advance of the meeting.

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

Invocation – Commissioner Richard Uribe

Pledge of Allegiance/Welcome

Call Meeting to Order

Citizen Communication/Input

1) Consideration and possible action regarding the participation of the Mayor and City Commissioners in the “2020 It’s Time Texas Community Challenge and sign the Challenge Pledge. Attachment (Parks & Recreation)

2) Presentation by Michael Kester, Chief of Police, regarding the duties and functions of the Police Department.

3) Approval of Minutes

   a) Special Meeting of October 22nd, 2019
   b) Regular Meeting of December 18, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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 read to approve and adopt an ordinance to abandon and vacate a 0.0508 acre tract, being a 10 ft. wide utility easement comprised of a portion of an existing 10 ft. wide utility easement being over and across Lot 1, Block 6, Target Subdivision, and over and across Lot 3, of the Replat of Lots 1 thru 3, Block 1, of Costa Del Sol Subdivision and Lots 1 and 2 of Target Subdivision, and consideration and possible action to approve an alternative utility easement being a 0.1043 of an acre tract, being a 10-ft wide easement over and across Lot 1, Block 6, Target Subdivision, and Lot 3 of Replat of Lots 1 thru 3, Block 1, Costa Del Sol Subdivision and Lots 1 and 2, Target Subdivision, located at 952 Dixieland Road. Applicant: Josh Bratton of Agree Development, LLC. Attachment (Planning & Zoning)

b) Consideration and possible action to approve a request from Cameron County Election Department to use the Culture Art Center, Studio A & B located on 576 "76" Drive, Harlingen, Texas as a voting site for the Primary and General Election for 2020. Attachment (Parks & Recreation)

c) Consideration and possible action to approve a request from Jun Ellorimo for the Fitness Expo, Packet Pick-up at Casa De Amistad on Saturday, February 8th, 2020 and to close the following streets on Sunday, February 9, 2020 for the Harlingen Marathon. Attachment (Police Dept.)

- Fair Park Blvd. from the Harlingen Performing Arts Theater (1209 Fair Park Blvd.) South West corner of "J" Street to the north curb of Fair Park Blvd. in front of the parking area of the Casa de Amistad
- The entry point to the Harlingen Performing Arts Theater off "J" Street to avoid any through traffic
- Northwest side street of the Harlingen Auditorium
- Northeast side street of the Casa de Amistad

5) Public hearing to consider an ordinance on first reading to rezone from Not Designated (N) District to General Retail (GR) District for 9.778 acres out of Lot 13, and 14, Block 133, San Benito Land and Water Company Subdivision, located at the southwest corner of FM 509 and East Treasure Hills Boulevard. Applicant: Minnie Criado. Attachment (Planning and Zoning)

a) Public Hearing

b) Consideration and possible action to approve an ordinance on first reading to rezone from Not Designated (N) District to General Retail (GR) District for 9.778 acres out of Lot 13, and 14, Block 133, San Benito Land and Water Company Subdivision, located at the southwest corner of FM 509 and East Treasure Hills Boulevard.

6) Public hearing to consider an ordinance on first reading for a Special Use Permit (SUP) to allow a foster care residential facility in a Light Industry (LI) District located at 2032 N. 77 Sunshine Strip, bearing a legal description of Lots 14 & 15, Block 2, EB Adams
Subdivision. Applicant: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc. Attachment (Planning & Zoning)

a) Public Hearing

b) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow a foster care residential facility in a Light Industry (LI) District located at 2032 N. 77 Sunshine Strip, bearing a legal description of Lots 14 & 15, Block 2, EB Adams Subdivision.

7) Consideration and possible action to amend the existing contract with the Texas Department of State Health Services to accept a grant amount of $135,123.00 and allocate $100,000.00 to the Novel Vector Control Project and $35,123.00 to the Traditional Vector Control and authorize the Mayor to sign the contract. Attachment (Health Dept.)

8) Board Appointments

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

a. Airport Board (1)
b. Animal Shelter Advisory Committee (1)
c. Audit Committee (1 - vacancy) (terms expired June, 2019)
d. Civil Service Commission (1)
e. Community Development Advisory Board (2)
f. Construction Board of Adjustments (5)
g. Convention & Visitors Bureau (2)
h. Development Corporation of Harlingen, Inc.
i. Downtown Improvement District Board (1)
j. Golf Course Advisory Board
k. Harlingen Community Improvement Board (1)
l. Harlingen Housing Authority Board (2)
m. Harlingen Finance Corporation (4)
n. Keep Harlingen Beautiful Board (5)
o. Library Advisory Board
p. Mayor Wellness Council
q. Museum Advisory Board (1)
r. Parks Advisory Board
s. Planning & Zoning Advisory Board (1)
t. Senior Citizens Advisory Board (2)
u. Tax Increment Finance Board (7)
w. Utility Board of Trustees
w. Veterans Advisory Board
x. Zoning Board of Adjustments (6)
y. Complete Census Committee

Specifically, appointment or discussion and possible action to include appointment bylaws and/or removal of any position subject to appointment or removal by statute, ordinance or bylaws.
9) Executive/Closed Session - Attorney consultation pursuant to Section §551.071(2), Texas Gov't Code, to receive legal advice regarding Project Dream. (Commissioner Uribe and Commissioner De La Rosa)

10) Consideration and appropriate action, if any, to authorize the City Manager to execute all relevant documents pertaining to the transfer of certain real property to UTRGV in furtherance of the objectives of Project Dream. (Commissioner Uribe and Commissioner De La Rosa)

Adjournment

I, the undersigned authority, do hereby certify that the above notice of meeting is a true and correct copy of said notice posted on the City’s bulletin board, City Hall, 118 E. Tyler Avenue, a place convenient and readily accessible to the general public at all times and said notice was posted on Friday, January 10th, 2020 at 4:00 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 10th day of January, 2020

Amanda C. Elizondo, City Secretary
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: January 15, 2020

Agenda Item:
Consideration and possible action regarding the participation of the Mayor and City Commissioners in the 2020 It's Time Texas Community Challenge and sign the Challenge Pledge.

Prepared By (Print Name): Javier Mendez,
Title: Parks & Recreation Director

Signature:

Summary:
The It’s Time Texas Community Challenge is an 8 week statewide competition that unites and mobilizes schools, businesses, organizations, community members, City Commissioners and Mayors toward a common goal of transforming their community’s health. This year’s challenge will run from January 6th through March 1st.
The organization is a nonprofit working together with their partners HEB and SNAP-Ed to increase trends and initiatives in the health movement in Texas. Their mission is to empower people to lead healthier lives and build healthier communities. The free programs, tools, and services help promote sustainable health initiatives for communities in the State of Texas. The participating cities and towns hosted a variety of health-inspired events including soccer tournaments, building playgrounds, fun runs, community health fairs, and free fitness classes.
Last year the winners in each category with the highest number of points received a trophy, governor’s certificate, and a $1,800 grant to put towards future health-related efforts. By signing these pledges the City of Harlingen will receive a total of 1,000 points.

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 will present recommendations to City Commission.

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

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

In support of the It’s Time Texas Community Challenge,

_________________ , Mayor of __________________ , Texas

PLEDGE TO:

» Kick off the IT’S TIME TEXAS Community Challenge by declaring my support and encouraging our constituents to participate!
» Encourage my community to register and participate in the Community Challenge
» Ask City Council members to sign and upload a photo holding the pledge to the Community Challenge website
» Create and upload a short video that promotes the ITT Community Challenge to the community
» Host and speak at a Community Challenge event that promotes healthy living

I recognize that a healthy community is more united, more productive, and more prosperous. As a result, I am committed to the health of my community and pledge to make our community a model for others to follow.

MY CITY IS UP TO THE CHALLENGE!

Mayor’s Signature

Signed: ______________ Date: ______________

Let your community know you’ve signed your pledge by taking a photo holding your signed pledge and posting it to social media with the hashtag #CommunityChallenge!

ittcommunitychallenge.com
CITY COUNCIL MEMBER PLEDGE

In support of the It’s Time Texas Community Challenge,
I ______________, a City Council Member of ______________, Texas

PLEDGE TO:

» Declare my support by signing this pledge and uploading a photo of me holding the pledge to the Community Challenge website
» Encourage our Mayor to sign the Community Challenge pledge if it hasn’t been submitted
» Ask fellow City Council members to sign and upload a photo holding the pledge to the Community Challenge website

I recognize that a healthy community is more united, more productive, and more prosperous. As a result, I am committed to the health of my community and pledge to make our community a model for others to follow.

MY CITY IS UP TO THE CHALLENGE!

Council Member’s Signature

Signed: ______________ Date: ______________

Let your community know you’ve signed your pledge by taking a photo holding your signed pledge and posting it to social media with the hashtag #CommunityChallenge!
IT'S TIME TEXAS COMMUNITY CHALLENGE 2020

JANUARY 6 (12:00 am) 2020 TO March 2 (5:00 PM) 2020

POINT TRACKER:

REGISTER FOR THE IT'S TIME TEXAS COMMUNITY CHALLENGE: CONTEST BEGINS JANUARY 6, 2020 AND ENDS AT 5:00 PM ON MARCH 1, 2020 WITH EARLY PRE-REGISTRATION BEGINNING OCTOBER 17, 2019. REGISTRATION GIVES YOU 500 POINTS ONE TIME.

REGISTRATION PROFILE COMPLETION: WHEN REGISTERING COMPLETE AND SUBMIT YOUR PROFILE FOR AN ADDITIONAL 250 BONUS POINTS ONE TIME.

PRE-REGISTRATION: BETWEEN OCTOBER 17, 2019 AND JANUARY 5, 2020 GIVES YOU AN EXTRA BONUS 200 POINTS ONE TIME.

LIVING HEALTHIER VIDEO LESSON: (NO PHOTO UPLOAD REQUIRED/ONE TIME VIEWING ONLINE AND ANSWER A FEW QUESTIONS/500 POINTS ONE TIME)

HEALTHY GROUP ACTIVITY: (PHOTO UPLOAD REQUIRED/1 ENTRY DAY/100 POINTS DAILY). A MINIMUM OF AT LEAST TWO (2) PEOPLE MUST PARTICIPATE IN A GROUP FITNESS OR HEALTHY EATING ACTIVITY. A PHOTO OF THE GROUP PARTICIPATING IN THE ACTIVITY MUST BE UPLOADED.

FITNESS TRACKER: (NO PHOTO UPLOAD REQUIRED/2 ENTRIES DAY/50 POINTS EACH • 100 POINTS DAILY). WALK, RUN, BIKE, SWIM, WEIGHT TRAINING, YOGA, FUTURE OR OTHER WITH THE MINUTES OF THE ACTIVITY.

HEALTHY SELFIE: RATING HEALTHY OR ENGAGING IN A HEALTHY ACTIVITY: (PHOTO UPLOAD REQUIRED/3 ENTRIES PER DAY/50 POINTS EACH • 150 POINTS DAILY)

WATER CONSUMPTION: (NO PHOTO UPLOAD REQUIRED/1 ENTRY DAY/50 POINTS DAILY). YOU CAN ONLY LOG WATER CONSUMPTION ONCE PER DAY AND YOU ENTER IT BASED ON THE NUMBER OF GLASSES OF WATER YOU CONSUMED FOR THE DAY.

TEACH HEALTHIER MYPLATE LESSON: (PHOTO UPLOAD REQUIRED/NO LIMIT ON DAILY SUBMISSIONS/50 POINTS FOR EACH SUBMISSION)

One picture per student/child per day holding the myplate activity card. Student/child should be holding up the Teach Healthier MyPlate in the photo. Parent/guardian, educator with permission may upload the student/child’s photo. Group photos are not allowed and will be removed by website administrators.

SIGN A PLEDGE - COMMUNITY MEMBER, TEACHER, AND OR SCHOOL LEADER: (PHOTO UPLOAD REQUIRED/Photo of the pledge or the person that's signed the pledge, holding the pledge (required). 500 POINTS ONETIME.

TEACH HEALTHIER APP: (PHOTO UPLOAD REQUIRED/1 ENTRY DAY/75 POINTS DAILY). It's Time Texas Teach Healthier App is an Instructional Tool to deliver nutrition education and physical activity to kids. For the Community Challenge, only one Teach Healthier Activity can be uploaded per day, per person. Make sure to start and stop the lesson on the Teach Healthier App when starting the lesson. A photo of the Teach Healthier Activity and the lesson title is required below in order to verify the lesson and participation.

It's time Texas Community Event: (PHOTO UPLOAD REQUIRED/ONLY 4 ENTRIES DURING THE CHALLENGE/MUST BE OPEN AND FREE TO THE PUBLIC AND FLYER POSTED/YOU MUST COMPLETE AN EVENT FORM HERE: http://www.surveymonkey.com/r/TSCEZX/25+ PEOPLE MUST ATTEND/J5,000 POINTS EACH = 60,000 POINTS FOR CONTEST PERIOD)

NAME: ________________________  DAY: ____________________

DAILY POINTS: _______ CUMULATIVE POINTS: _______ RANK: _______

TEACH MYPLATE LESSON TEACH HEALTHIER APP TOTAL DAILY POINTS POSSIBLE = 750 +

# OF SUBMISSIONS 1.

HEALTHY GROUP ACTIVITY FITNESS TRACKER SELFIE: HEALTHY EATING ACTIVITY WATER CONSUMPTION TOTAL DAILY POINTS POSSIBLE = 800

1.
1.
1.
1.

2.
2.
2.

3.
SPECIAL MEETING

CITY COMMISSION HARLINGEN, TEXAS

October 22, 2019

A Special Meeting of the Harlingen City Commission was held October 22, 2019 at 5:30 p.m., City Hall, Town Hall Meeting Room, 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, Commissioner, District 1
Frank Puente, Commissioner, District 2
Ruben de la Rosa, Commissioner, District 4
Victor Leal, Commissioner, District 5

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

Invocation/City Commissioner Frank Puente

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

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

Citizen Communication / Input

1) Proclamation – proclaiming September 27th, 2019 as PEPE's Restaurant 25th Anniversary.

Mayor Boswell read and presented a proclamation proclaiming September 27th, 2019 as Pepe’s Restaurant 25th Anniversary to Mr. Joe Ayala, Restaurant Owner.

2) Presentation by Rodrigo Davila, Public Works Director, regarding the duties and functions of the Public Works Department. (Public Works)

This item was postponed to a future meeting.

3) Approval of Minutes

a) Regular Meeting of September 4, 2019
b) **Special Meeting of September 17, 2019**

Motion was made by Commissioner Puente and seconded by Commissioner De La Rosa to approve the minutes of September 4, 2019, Regular Meeting and September 17, 2019, Special Meeting. Motion carried unanimously.

**Consent Agenda**

4a) **Second and final reading to approve and adopt an ordinance for a Specific Use Permit to allow an adult business (smoke shop) in a General Retail ("GR") District located at 216 N. Ed Carey Drive, Suite 6, bearing a legal description of 1.583 acres out of Vector Subdivision Unit 1.** Applicant: Eyal Turgeman.

b) **Second and final reading to approve an ordinance to rezone from Residential, Single Family ("R-1") District to Neighborhood Services ("NS") District for 0.891 of an acre out of Block 21, Howard Dixieland Heights Subdivision, located at 1401 Dixieland Road.** Applicant: Ricardo Caballero.

c) **Second and final reading to approve and adopt an ordinance to abandon and vacate a portion of a 1.0-foot non-access easement described 0.0006 acre of land (27 square feet) out of Lot 5, Arbor Health Subdivision, located at 1801 Atrium Place.** Applicant: Jeff Bell.

d) **Second and final reading to approve and adopt an ordinance to abandon and vacate a 1.0-foot non-access easement being 360 square feet out of the south side of Lot 5, Block 1, Harlingen Heights II Subdivision, located at 2410 Spur 54.** Applicant: Ezequiel Reyna, Jr.

e) **Second and final reading to approve and adopt an ordinance to replace a yield sign with a stop sign at the intersection of Vermont Drive and 77 Sunshine Strip.**

f) **Second and final reading to approve an ordinance adopting a Drought Contingency and Emergency Management Plan.**

g) **Consideration and possible action to approve a request from Dora Castaneda to close the following streets north and south to hold the Small Business Market Place Event, Saturday, November 30, 2019 from 5 to 10 p.m.**

- Van Buren Avenue at West Street;
- West Street at Van Buren Avenue;
- Van Buren Avenue at “C” Street; and
- Van Buren Avenue at “D” Street

h) **Consideration and possible action to approve a Food for Fines Drive at the Harlingen Public Library.**

Motion was made by Commissioner Leal and seconded by Commissioner Uribe to approve the Consent Agenda Items 4 (a thru h). Motion carried unanimously.

For the record, the caption of the ordinances read as follow:
ORDINANCE NO. 2019-27

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: TO ISSUE A SPECIFIC USE PERMIT TO EYAL TURGEMAN TO ALLOW AN ADULT BUSINESS (SMOKE SHOP) IN A GENERAL RETAIL (GR) DISTRICT LOCATED AT 216 N. ED CAREY DRIVE, SUITE 6, BEARING A LEGAL DESCRIPTION OF 1.583 ACRES OUT OF VECTOR SUBDIVISION UNIT 1, SUBJECT TO: (1) OBTAINING AND MAINTAINING THE PROPER STATE AND CITY PERMITS; (2) MAINTAINING THE REQUIRED PARKING IN ACCORDANCE WITH CITY REGULATIONS; (3) PROVIDING VIDEO SURVEILLANCE WITH A 30 DAY RETENTION; AND (4) COMPLYING WITH THE REQUIREMENTS ADMINISTERED BY THE PLANNING AND ZONING, BUILDING INSPECTIONS, ENVIRONMENTAL HEALTH, FIRE PREVENTION, AND POLICE DEPARTMENTS.

ORDINANCE NO. 2019-28

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, SINGLE FAMILY (“R-1”) DISTRICT TO NEIGHBORHOOD SERVICES (“NS”) DISTRICT FOR 0.891 OF AN ACRE OUT OF BLOCK 21, HOWARD DIXIELAND HEIGHTS SUBDIVISION, LOCATED AT 1401 DIXIELAND ROAD; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

ORDINANCE NO. 2019-29

AN ORDINANCE ABANDONING AND VACATING A PORTION OF A 1.0 FOOT NON-ACCESS EASMENT, DESCRIBED AS A 0.0006 ACRE OF LAND (27 SQUARE FEET) OUT OF LOT 5, ARBOR HEALTH SUBDIVISION, LOCATED AT 1801 ATRIUM PLACE

ORDINANCE NO. 2019-30

AN ORDINANCE ABANDONING AND VACATING THE 1.0 FOOT NON-ACCESS EASMENT, DESCRIBED AS 360 SQUARE FEET OUT OF THE SOUTH SIDE OF LOT 5, BLOCK 1, HARLINGEN HEIGHTS II SUBDIVISION, LOCATED AT 2410 SPUR 54

ORDINANCE NO. 2019-31

AN ORDINANCE AUTHORIZING THE PLACEMENT OF A STOP SIGN ON VERMONT AVENUE AT ITS SOUTHERN INTERSECTION WITH 77 SUNSHINE STRIP; ESTABLISHING A FINE NOT TO EXCEED $200.00 DOLLARS FOR THE DRIVER OF ANY MOTOR VEHICLE WHO FAILS TO STOP AND YIELD THE RIGHT-OF-WAY IN OBEEDIENCE TO THE STOP SIGNS HEREAFTER AUTHORIZED; AMENDING OR REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

ORDINANCE NO. 2019-32

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, AMENDING CHAPTER 48 UTILITIES ARTICLE III WATER SYSTEM CREATING DIVISION 4 DROUGHT CONTINGENCY AND EMERGENCY WATER MANAGEMENT PLAN OF THE CITY OF HARLINGEN CODE OF ORDINANCES; ESTABLISHING ADMINISTRATIVE PENALTIES; ESTABLISHING AN EFFECTIVE DATE HEREOF.

PASSED AND APPROVED on first reading this 2nd day of October, 2019
PASSED AND APPROVED on second reading this 22nd day of October, 2019

CITY OF HARLINGEN
/S/CHRIS BOSWELL, MAYOR

ATTEST:
/S/AMANDA C. ELIZONDO, CITY SECRETARY
5) **Presentation of the City of Harlingen’s efforts to pursue the 2020 All-American City Award.**

Joel Garza, Director of Special Projects, stated staff was recommending for the City to apply for the National Civic League’s 2020 All-American City Award to showcase Harlingen. The award recognizes communities that leverage civic engagement, collaboration, inclusiveness and innovation to successfully address local issues. This year’s theme is “Enhancing Health & Well-being through Civic Engagement”. The Letter of Intent is due November 1, 2019 and the application is due February 19, 2020.

No action was taken on this item.

6) **Consideration and possible action to authorize the Mayor to execute the Government Lease No. 697DCM-19-L-00206 Airport Surveillance Radar (ASR) Site and Easements between the Federal Aviation Administration (FAA) and City of Harlingen granting the FAA use of land rights at no-cost for a 15-year term.**

Marv Esterly, Director of Aviation, stated the Federal Aviation Administration Lease provides for an airport surveillance radar site and easements on the City of Harlingen’s property. The lease provides for the FAA to use the land rights at no-cost for a term of 15-year.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to authorize the Mayor to execute the Government Lease No. 697DCM-19-L-00206 Airport Surveillance Radar (ASR) Site and Easements between the Federal Aviation Administration (FAA) and City of Harlingen granting the FAA use of land rights at no-cost for a 15-year term. Motion carried unanimously.

At 5:44 p.m., Mayor Boswell excused himself from the meeting due to another commitment. Mayor Pro-Tem Mezmar presided over the meeting.

7) **Public hearing to consider an ordinance on first reading for a Specific Use Permit (SUP) to allow a storage building greater than 144 sq. ft. in a Single Family Residential (R1) District for Lot 11 Block 153, Harlingen Original Townsite Subdivision located at 218 W. Lincoln Ave. Applicant: Magdalena & Jesus Peralta.**

Xavier Cervantes, Planning and Development Director, stated Magdalena & Jesus Peralta, applicants were requesting a Specific Use Permit (SUP) for the proposed property. The property consists of 50 ft. of frontage along W. Lincoln Ave. and a depth of 140 ft. There is an existing two-story single family residence on the property and an unfinished two-story building with a square footage of 15.58 ft. wide by 26 ft. in length. The first floor of the storage building is 298.3 sq. ft. and the second floor is 403 sq. ft. a total of 701.3 sq. ft. The two-story building will be used for storage of miscellaneous items used by them only. The adjacent property to the east is occupied with a single family residence and an accessory structure located approximately 5 ft. from the west side property line. On February 26, 2019, the Code Compliance Dept. issued a citation for construction work due to no building permit and Specific Use Permit. A variance was submitted by the property owner and was approved by the Zoning Board of Adjustments on August 22nd, 2019 to allow the applicant to apply for a SUP and continue with the project. If the SUP is approved; the applicant is still required to secure a building permit with the Building Inspections Department. The Building Inspections, Health, Fire
Prevention, Engineering, reviewed the SUP application and had no objections to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department.

On September 1, 2019, the Planning and Zoning Department received one (1) letter in opposition which requires a public hearing for the SUP. On October 2, 2019, the Planning and Zoning Department received two (2) phone calls in support of the SUP.

Discussion was held regarding to the condition of building whether or not it had restroom facilities, electricity or was it currently a shell. Did the applicants hire a contractor? Or, were the owners doing the work themselves and the reason for them not getting a construction permit. Does the building have a foundation?

Mr. Cervantes replied there were no restrooms in the building. If the ordinance for the SUP got approved, Mr. and Mrs. Peralta would have to apply for a building permit. They would be required to get an engineer to do an inspection of the building.

Juan Santana, owner, of the property adjacent to the proposed property and who had permission to speak on behalf of the owners, stated the property owners' intentions is to close off the door leading to the exterior on the back. They are proposing to use the building only for storage and he did not oppose to this request. There is no water or sewer in the property and if approved they would only apply for electricity. Mr. and Mrs. Peralta did have a contractor and Mr. Peralta does construction work. The building has a concrete foundation, but no plumbing or drainage.

a) Public Hearing

Mayor Pro-Tem Mezmar announced this was public hearing, anyone wishing to speak for or against could do so.

There being no other comments, Mayor Pro-Tem Mezmar closed the public hearing.

b) Consideration and possible action to approve an ordinance on first reading for a Specific Use Permit (SUP) to allow a storage building greater than 144 sq. ft. in a Single Family Residential (R1) District at the above described property.

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

Motion was made by Commissioner De La Rosa and seconded by Commissioner Puente to approve the ordinance on first reading for a Specific Use Permit (SUP) to allow a storage building greater than 144 sq. ft. in a Single Family Residential (R1) District at the above described property. Motion carried unanimously.

8) Public hearing to consider an ordinance on first reading for a Specific Use Permit (SUP) to allow expansion of an existing Childcare Business by the name of Martha's Playground to adjacent property located within a Light Industry (LI) District for Lot 1, Block 1, Safeguard Subdivision and 1.58 acres out of the east 10 acres of Block 4, Highway Subdivision located at 5206-5402 S. Expressway 83. Applicant: Roger Gonzalez.
Mr. Cervantes stated Roger Gonzalez, applicant, is requesting a Specific Use Permit (SUP) to allow the current use and the expansion of the existing day care center, Martha’s Playschool, located at 5300 S. Expressway 83. The current capacity of the daycare allows up to 48 children. With the addition of the building next door, located at 5402 S. Expressway 83, the daycare will be able to accommodate 120, a total of 168 children. Martha’s Playschool has been providing childcare services since 2005. She does not have a SUP for this use. He highlighted the land uses of the surrounding properties. The City of Harlingen Building Inspections, Health and Fire Prevention Departments reviewed the SUP application and had no opposition to the request subject to adhering to the Harlingen Code of Ordinances and subject to meeting the following requirements.

- Based on the site plan, 13 parking spaces are required and provided, along with the required circular drive.
- The applicant must obtain and maintain the proper State permits.
- The Planning and Zoning Department has not received any objections to the request from the surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Commissioner Leal asked if there was a particular reason for the circular drive to stay in the same place.

Mr. Cervantes replied that it cannot be removed because it is used for loading and unloading children and for the safety of the children and parents.

a) Public Hearing

Mayor Pro-Tem Mezmar announced this was public hearing, anyone wishing to speak for or against could do so.

There being no more comments, Mayor Pro-Tem Mezmar closed the public hearing.

b) Consideration and possible action to approve an ordinance on first reading for a Specific Use Permit (SUP) to allow expansion of an existing Childcare Business by the name of Martha’s Playground at the above described property.

Ms. Bastian read the caption of the ordinance.

Motion was made by Commissioner De La Rosa and seconded by Commissioner Uribe to approve the ordinance on first reading for a Specific Use Permit (SUP) to allow expansion of an existing Childcare Business by the name of Martha’s Playground at the above describe property. Motion carried unanimously.

9) Public hearing to consider an ordinance on first reading for a Specific Use Permit (SUP) to allow a Bar/Lounge in a General Retail (GR) District for Lot 4, Block 1, South Point Subdivision located at 640 N. Ed Carey Drive, Applicant: Kamlesh Bhakta.

Mr. Cervantes stated Kamlesh Bhakta, applicant, is requesting a Specific Use Permit (SUP) to allow a bar/lounge shop under the name of “Broken Tap” out of an existing 4,172 sq. ft. suite located at 640 N. Ed Carey Dr. The surrounding properties are zoned General Retail (GR) District in all directions and highlighted the surrounding land uses within the plaza. On July 27, 2005, a SUP was originally approved to allow a bar/lounge on the property. July 22, 2008, a
SUP was approved for the same property due to new ownership. The existing use of the bar/lounge has been in operation since 2005; however, due to changes in ownership, the applicant is required to apply for a SUP to be in compliance with the Code of Ordinances. Hours of operation will be Monday thru Sunday from 12 pm to 2 am; will apply for a Mixed Beverage Late Hours Permit through TABC; and will have a DJ Thursday thru Saturday. The applicant will be required to apply for the necessary City permits. The establishment must comply with the off-street parking requirements, 42 parking spaces are required and are provided in the common parking area. Harlingen Police, Building Inspections, Health Department, and Fire Prevention Bureau reviewed the SUP application and recommended approval of the request.

a) Public Hearing

Mayor Pro-Tem Mezmar announced this was public hearing and anyone wishing to speak for or against could do so.

There being no comments, Mayor Pro-Tem Mezmar closed the public hearing.

b) Consideration and possible action to approve an ordinance on first reading for a Specific Use Permit (SUP) to allow a Bar/Lounge in a General Retail (GR) District at the above described property.

Ms. Bastian read the caption of the ordinance.

Motion was made by Commissioner Puente and seconded by Commissioner Leal to approve the ordinance on first reading for a Specific Use Permit (SUP) to allow a Bar/Lounge in a General Retail (GR) District at the above described property. Motion carried unanimously.

10) Public hearing to consider an ordinance on first reading to rezone from Residential, Single Family ("R-1") District to Residential, Multi-Family ("M-2") District for 8.99 acres of land consisting of 0.50 acres out of Block 41, and 8.49 acres out of Block 42, Howard Dixieland Heights Subdivision. Applicant: Christopher S. Dowling, c/o Marine Military Academy.

Mr. Cervantes stated Christopher S. Dowling, applicant, is requesting to rezone the above mentioned property from Residential, Single Family ("R-1") District to Residential, Multi-Family ("M-2") District to sell the property to a potential buyer who is interested in constructing a multi-family development on the property. The property is currently vacant. It has 593 ft. of frontage along Garrett Road and 660 ft. of frontage along Dixieland Road. Garrett Road is a two lane 37 ft. wide with paved street and curb and gutter. Dixieland Road is a four lane plus a turning lane 62 ft. wide with paved street, curb, and gutter. The property was zoned to Residential, Single Family ("R-1") as part of a City Initiated Rezoning on January 18, 2017. He highlighted the land uses surrounding the subject property to the north, west, and east. The Future Land Use Plan and Comprehensive Plan show this area as low density residential. The requested rezoning is not consistent with the Future Land Use Plan, it is consistent with the adjacent Residential, Multi-Family ("M-2") zoning to the east of the proposed property. The property is owned by the Marine Military Academy.

Discussion was held in regards to the proposed use of the property and some of the Commissioners expressed concerns because of the proposed use of the land. They received calls from the citizens opposing the request.
a) Public Hearing

Mayor Pro-Tem Mezmar announced this was public hearing, anyone wishing to speak for or against could do so.

Comments were heard from Ruben Montemayor, resident of Harlingen and stated he lives next to the proposed property and is against this project. His concern is that property values will decrease.

Comments were heard in support of the request from Chloe Dotson, Real Estate Director with Real Estate Development, CDC of Brownsville, Cheryl LaBerge, Nidia Tapia Gonzalez, Harlingen residents. Ms. Dotson stated this project is not a Section 8 or a Public Housing Community Project and it would not reduce surrounding neighborhood property values. The request was to rezone the property. This project would be a good addition to the community and the surrounding neighbors would be pleased with the design.

Commissioner Leal asked if this item would require a simple majority vote.

Mr. Cervantes responded yes.

Mark Moseley with the Community Development Corporation of Brownsville stated they build single-family units in neighborhoods and have done several projects around the City. They have all been successful.

There being no more comments, Mayor Pro-Tem Mezmar closed the public hearing.

b) Consideration and possible action to approve an ordinance on first reading to rezone from Residential, Single Family ("R-1") District to Residential, Multi-Family ("M-2") District for the above described property.

Ms. Bastian read the caption of the ordinance.

Motion was made by Commissioner Puente and seconded by Commissioner Leal to deny the ordinance on first reading to rezone from Residential, Single Family ("R-1") District to Residential, Multi-Family ("M-2") District for the above described property. Motion carried as follows: FOR: Commissioners: Puente and Leal. AGAINST: Mayor Pro-Tem Mezmar and Commissioners: Uribe and De La Rosa. (Vote: 3-2 to deny the rezone request)

11) Public hearing to consider an ordinance on first reading to rezone from Residential, Single Family ("R-1") District to Residential, Multi-Family ("M-2") District for Lot 3, Sun Valley Shopping Center Unit No. 2, save and except 30 feet x 58.33 feet, located on the west side of 11th Street north of Washington Avenue. Applicant: John Timms.

Mr. Cervantes stated John Timms, applicant, is requesting to rezone the subject property from Residential, Single Family ("R-1") District to Residential, Multi-Family ("M-2") District to allow for a multi-family development on the subject property. The property is currently vacant. It consists of 100 ft. of frontage along 11th Street and 698 ft. of depth at it longest point. Eleventh Street is a two lane, 37 ft. wide with paved street, curb, and gutter. He highlighted the land uses to north, west, and south. The Future Land Use Plan (FLUP) and Harlingen Comprehensive Plan show this area as low density residential. The requested rezoning is not consistent with the Future Land Use Plan. It is consistent with the adjacent Residential, Multi-
Family ("M-2") zoning to the south and east and with the multi-family uses to the south of the property. Notices were sent to the surrounding property owners regarding the proposed rezoning request and no objections were received.

A brief discussion was held regarding the recommendations made by the Planning & Zoning Commission and one concern was that this area was considered flood zone which could create some drainage issues.

a) Public Hearing

Mayor Pro-Tem Mezmar announced this was public hearing and anyone wishing to speak for or against could do so.

Comments were heard from Gabriel Trevino, Jose Alvarado, Coleen Mitchell, residents of Harlingen, spoke against the rezone request because of the past floods, insufficient drainage, manhole issues, and increase traffic.

Ms. Paula Martin, Harlingen citizen, claimed she did not receive the notice of the zone change request.

There being no other comments, Mayor Pro-Tem Mezmar closed the public hearing.

b) Consideration and possible action to approve an ordinance on first reading to rezone Residential, Single Family ("R-1") District to Residential, Multi-Family ("M-2") District for Lot 3, Sun Valley Shopping Center Unit No. 2, for the above described property.

Ms. Bastian, read the caption of the ordinance.

Motion was made by Commissioner Puente and seconded by Commissioner Leal to table the item for further review by staff and the Harlingen Water Works. Motion carried as follows: FOR: Mayor Pro-Tem Mezmar and Commissioners: Puente and Leal. AGAINST: Commissioners: Uribe and De La Rosa. (Vote: 3-2 to table the item).

12) Public hearing to consider an ordinance on first reading to rezone from Residential, Single Family ("R-1") District to General Retail ("GR") District for Lot 9 and the west 23.78 ft. of Lot 10, Block 6, Crown Heights Addition located at 918 E. Grimes Avenue. Applicant: Aaron Medina.

Mr. Cervantes stated Aaron Medina, applicant, is requesting to rezone the subject property from Residential, Single Family (R-1) District to Neighborhood Services (GR) District to allow an expansion of a home health care center. The property is located on the south side of E. Grimes Ave., 100 ft. east of N. 9th Street, 80.06 ft. of frontage, and a depth of 140 ft., 60 ft. of R.O.W. with 45 ft. of pavement, curb and gutter on Grimes Avenue. The adjacent zoning is Single Family Residential (R1) District to the north, east and south, and General Retail (GR) District to the south and west. Surrounding land uses are single family residences and La Familia Home Health Care. The property is currently vacant. The landowner would like to expand his current home health care business to the adjacent property to the west. The developer shall adhere to the following conditions as per the Code of Ordinances:

- Shall provide a solid screening fence not less than six feet in height in the rear yard of the property;
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- The fence shall be required every time there is a change in occupancy and/or the building is clear to be re-energized;
- A minimum rear yard of not less than ten feet shall be provided in O, NS, GR, LI and HI districts, dividing the district from any of the residential districts listed herein;
- Solid face front yard fences may be maintained at a height of no more than six feet up to the plot line providing they do not obstruct traffic view for at least 15 ft. from a street and ten feet from alley.

The Future Land Use Plan (FLUP) shows this area as residential. The requested rezoning is not consistent with the Future Land Use Plan. It is consistent with the development trends in the areas to the west and south. The Planning & Zoning Staff received a phone call on October 4, 2019 regarding concerns of increase traffic flow in the residential area.

a) Public Hearing

Mayor Pro-Tem Mezmar announced this was public hearing, anyone wishing to speak for or against could do so.

There being no other comments, Mayor Pro-Tem Mezmar closed the public hearing.

b) Consideration and possible action to approve an ordinance on first reading to rezone from Residential, Single Family (R1) District to General Retail (GR) District for the above described property.

Ms. Bastian read the caption of the ordinance.

Motion was made by Commissioner Puente and seconded by Commissioner Leal to approve the ordinance on first reading to rezone from Residential, Single Family (R1) District to General Retail (GR) District for the above described property. Motion carried unanimously.

13) Consideration and possible action to approve and adopt an ordinance on first reading to regulate and reduce pollution that enters the surface water of the State of Texas and waters of the United States from discharges into the City's municipal separate storm sewer system by providing for the detection and elimination of illicit connections to the storm sewer system and requiring erosion control and pollution prevention at construction sites and to establish penalties and an effective date. Applicant: City of Harlingen.

Mr. Cervantes stated that pursuant to the Clean Water Act and the Texas Pollution Discharge Elimination System General Permit TXR040000, the City is required to develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants into the City's streets, gutters, ditches, storm drains, surface waters of the State, and of the United States, to the maximum extent that is practicable. The City's stormwater management program must include the following six (6) minimum control measures:

- public education and outreach on storm water impacts;
- public involvement and participation;
- illicit discharge detection and elimination;
- construction site storm water runoff control;
- post-construction storm water management in new development and redevelopment; and
- pollution prevention and good housekeeping for municipal operations.
The attached ordinance incorporates the required six minimum control measures for the City's stormwater management program with the intent of reducing pollution and contamination entering the City's separate stormwater sewer system (MS4) to the greatest extent practicable.

Ms. Bastian read the caption of the ordinance.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to approve the ordinance on first reading to regulate and reduce pollution that enters the surface water of the State of Texas and waters of the United States from discharges into the City's municipal separate storm sewer system, by providing for the detection and elimination of illicit connections to the storm sewer system and requiring erosion control and pollution prevention at construction sites and to establish penalties and an effective date. Motion carried unanimously.

14) Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen, to accept and expend grant funding in the amount of $3,471.95 made available through the Bureau of Justice Assistance (BJA) under the (FY) 2019 Bulletproof Vest Partnership (BVP) Program.

Michael Kester, Chief of Police, stated the Harlingen Police Department was awarded a grant of $3,471.95 from the Bureau of Justice Assistance under FY 2019 Bulletproof Vest Partnership (BVP) Program. The funds will be utilized for the purchase of bulletproof vests for police officers.

Motion was made by Commissioner Puente and seconded by Commissioner Leal to authorize the Mayor, on behalf of the City of Harlingen, to accept and expend grant funding in the amount of $3,471.95 made available through the Bureau of Justice Assistance under the (FY) 2019 Bulletproof Vest Partnership (BVP) Program. Motion carried unanimously.

15) Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen, to accept and expend grant funding in the amount of $31,122.00 made available through the Office of the Governor Homeland Security Grant Program (HSPG) under the SHSP LETPA Solicitation – FY19.

Chief Kester stated the Harlingen Police Department will be utilizing the Office of the Governor Homeland Security Grant Program (HSPG) under the SHSP LETPA Solicitation – FY19 Program funds to replace and upgrade the Police Department's Interoperable Communications (six portable handheld radios) for members of the HPD SWAT Team. No matching funds are required from the City.

Motion was made by Commissioner De La Rosa and seconded by Commissioner Uribe to authorize the Mayor, on behalf of the City of Harlingen, to accept and expend grant funding in the amount of $31,122.00 made available through the Office of the Governor Homeland Security Grant Program (HSPG) under the SHSP LETPA Solicitation – FY19. Motion carried unanimously.

16) Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen, to accept grant funding in the amount of $83,537.20 made available through the Office of the Governor, VA – Victims of Crime Act Formula Grant Program (VA19 PY20 General Direct Services) for the HPD Crime Victim Liaison Program.
Chief Kester stated the Harlingen Police Department is recommending utilizing the funds for the HPD Crime Victim Liaison Program. The total project cost includes salary, office supplies, utilities and a private office space. This is a two year project and the estimated amount is $104,421.50 with a city match of 20% ($20,884.30) for a total grant funding of $83,537.20.

Motion was made by Commissioner Leal and seconded by Commissioner Uribe to authorize the Mayor, on behalf of the City of Harlingen, to accept the grant in the amount of $83,537.20 made available through the Office of the Governor, VA – Victims of Crime Act Formula Grant Program (VA19 PY20) General Direct Services) for the HPD Crime Victim Liaison Program. Motion carried unanimously.

Consideration and possible action to approve a request from Robert Villanueva Garcia, Deacon Evangelist of Iglesia La Luz del Mundo (The Light of the World) to close Jackson St. and Van Buren Street, Friday, November 1st, Saturday, November 2nd, and Sunday, November 3rd, 2019 starting at 10 am to 3 pm for their church festival.

Chief Kester stated Robert Villanueva Garcia, Deacon Evangelist of Iglesia La Luz del Mundo (The Light of the World) is requesting to close 4th Street between Jackson and Van Buren Street, November 1st thru 3rd, 2019 for their church festival.

Commissioner Uribe asked what the hours will be for the event.

Mr. Torres replied the event starts Friday at 10 am and it will end on Saturday at 9 pm. The event will take place on Friday and Saturday from 10:00 am – 9:00 pm and Sunday from 10 a.m. to 3 p.m.

Mr. Serna stated his concern was that the projected dates conflict with the Downtown Market Days. There will be a lot of traffic flow and pedestrian traffic around this area.

Commissioner Leal stated the Police Dept. set-up the mobile unit during Market Days. He asked if the mobile unit were set-up on 3rd or 4th Street and if traffic would be allowed through these streets.

Chief Kester replied the mobile unit is set-up 4th Street and it is not blocked. Traditionally 4th Street is the street to get around downtown during Market Days.

Discussion was held in regards to the request and Chief Kester replied that they have been in conversations with the Church and they have altered their recommendations. Chief Kester stated he was not comfortable closing 4th Street due to the safety of the people attending the event. He recommended denying the request.

Motion was made by Commissioner Puente and seconded by Commissioner De La Rosa to approve the modified request to close 4th Street between Jackson and Van Buren on Friday November 1, 2019 from 10:00 am to 9:00 pm and Saturday, November 2, 2019. The motion carried as follows: FOR: Commissioners: Puente and De La Rosa. AGAINST: Mayor Pro-Tem Mezmar and Commissioners: Uribe and Leal. (Vote 3-2 to deny the request)

Consideration and possible action to approve the Fire Protection Service Contract between the City of Harlingen and the City of Combes, Texas to provide fire protection services for a cost of $95,726.34 payable in quarterly installments of $23,931.59 and authorize the Mayor to sign the contract.
Rogelio Rubio, Fire Chief, stated the rate for Fire Protection Services for the City of Combes is .10 cents per $100 valuation based on the City’s 2019 Certified Net Taxable Value. The City of Combes reviewed the agreement and is in agreement with the terms and conditions. The cost to provide the fire protection services to the City of Combes is $95,726.34 for FY 19/20, payable in quarterly installments of $23,931.59 on the following dates: Dec. 31st 2019, Mar. 31st 2020, Jun 30th 2020 and Sept. 30th 2020.

Motion was made by Commissioner Uribe and seconded by Commissioner Leal to approve the Fire Protection Service Contract between the City of Harlingen and the City of Combes, Texas to provide fire protection services for a cost of $95,726.34 payable in quarterly installments of $23,931.59 and authorize the Mayor to sign the contract. Motion carried unanimously.

19) Consideration and possible action to approve an ordinance on first reading to permanently close L & L 1/2 Street between Fair Park Boulevard and Adams Avenue for the construction of the Destination Park Project.

Andy Vigstol, City Engineer, stated staff is requesting to permanently close the section of L and L ½ Street between Fair Park Boulevard and Adams Avenue for the construction of the Destination Park Project. The park project is proposing to remove the existing roadway and replace it with a walkway, landscaping, small pavilions, and a water feature. The demolition of the roadway will take place prior to the construction of the park project.

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

Motion was made by Commissioner Uribe and seconded by Commissioner De La Rosa to approve the ordinance on first reading to permanently close L & L 1/2 Street between Fair Park Boulevard and Adams Avenue for the construction of the Destination Park Project. Motion carried unanimously.

20) Consideration and possible action to renew the facility usage agreement with Arroyo Youth Soccer Club, Inc. for the use of the Soccer Fields 5, 6, 8, 9, and 10 at the Harlingen Soccer Complex and the Concession Stand and authorize the City Manager to execute the agreement.

Javier Mendez, Parks and Recreation Director stated the League will be allowed to use Fields 5, 6, 8, 9 and 10 on a regular basis during their regular season. They will also have access to Field 7 on Mondays and Saturdays and to Fields 3 and 4 Monday through Saturday. All required documents from the League pursuant to the contract are current and are filed with the City. The Parks and Recreation Advisory Board recommended approval.

A short discussion was held by the Commission in regards to the arrangements between the leagues and if they had all worked out their differences.

Mr. Mendez responded yes.

Motion was made by Commissioner Uribe and seconded by Commissioner Leal to renew the facility usage agreement with Arroyo Youth Soccer Club, Inc. for the use of the Soccer Fields 5, 6, 8, 9, and 10 at the Harlingen Soccer Complex; the Concession Stand and authorize the City Manager to execute the agreement. Motion carried unanimously.
21) **Board Appointments**

Commissioner Puente appointed Heriberto Aguilar to the Convention & Visitors Bureau, reappointed Paul J. Durant to the Harlingen Community Improvement Board, Joe Garza, Jr. to the Museum Advisory Board and Julie Ann Ezell-Perez to the Zoning Board of Adjustments.

Motion was made by Commissioner Leal and seconded by Commissioner Uribe to approve Commissioner Puente's appointment, Heriberto Aguilar to the Convention & Visitors Bureau, reappointments of Paul J. Durant to the Harlingen Community Improvement Board, Joe Garza, Jr. to the Museum Advisory Board and Julie Ann Ezell-Perez to the Zoning Board of Adjustments. Motion carried unanimously.

**Adjournment**

There being no other business to discuss, Mayor Pro-Tem Mezmar adjourned the meeting at 7:15 p.m.

City of Harlingen

ATTEST: Chris Boswell, Mayor

Amanda C. Elizondo, City Secretary
REGULAR MEETING

CITY COMMISSION

December 18, 2019

A Meeting of the Harlingen City Commission was held December 18, 2019 at 5:30 p.m., City Hall, Town Hall Meeting Room, 118 E. Tyler Street, Harlingen, Texas. Those in attendance were:

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

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

Invocation – Commissioner Victor Leal

Pledge of Allegiance/Welcome

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

Call Meeting to Order

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

Citizen Communication/Input

None

1) Board Recognition

Mayor Boswell presented certificates of recognition to the following newly appointed board members and thanked them for their willingness to serve.

Belinda Palomino – Keep Harlingen Beautiful Advisory Board
Kristin Lea Appell – Museum Advisory Board
Christopher Barnesky – Utility Board of Trustees

2) Recognition to the City of Harlingen Vital Statistics Department. Recipient of the 2019 Exemplary Five-Star Service Award.

Mayor Boswell recognized Josh Ramirez, Health Director and staff, Ms. Diana Vargas and Ms. Noemi de la Fuente, recipients on behalf of the City of Harlingen 2019 Exemplary Five-Star Service Award.
Presentation by Javier Mendez, Parks & Recreation Director, regarding the duties and functions of the Parks & Recreation Department.

Javier Mendez, Parks & Recreation Director, gave a report on the functions of the Parks & Recreation Dept., Public Bldgs. and Tony Butler Golf Course. He highlighted the functions of each of these departments. Total budget of 5.7 million dollars excluding the grants totaling to 2.5 million dollars.

**PARKS & RECREATION**

**CAPITAL OUTLAY PROJECT COMPLETED**
- 3-Inclusive playgrounds;
- Bonham Park Improvements;
- Meg Jorn Trail (4.1 miles);
- Lighted Basketball Court at Rangerville Road Park;
- New Playground and Resurfacing of Parking Lot at Vestal Park;
- Construction of new mountain bike trail;
- Construction and reconstruction of wetlands and repair of parking lot at Hugh Ramsey Nature Park;
- Reconstructed sidewalks and entry way at the Liberty Gardens;
- Installed outdoor exercise equipment at four (4) different park locations;
- Constructed new ADA ramp at Victor and Pendleton Pool;
- Constructed a new ADA restroom at Lon C. Hill Park; and Installed fencing around Victor Pool.

**UPCOMING PROJECTS**
- Light one soccer field at Vestal Park;
- Replace playground at Hunter Park;
- Cover the outdoor exercise equipment with shade structures;
- Construct the Destination Park at Lon C. Hill;
- Construct the Arroyo Colorado Trail Extension;
- Construct the side by side two court Volleyball facility;
- Repair new section of trail at the Wilson Sports Complex;
- Repair fields at the Soccer Complex and install new irrigation system;
- Apply for grant funds for Hugh Ramsey Nature Park, Trail at the Destination Park, Blue Trail along the Arroyo, and the extension of the Hike and Bike Trail along the Arroyo; and Tennis Center.

**PUBLIC BUILDINGS**

**CAPITAL OUTLAY PROJECTS COMPLETED**
- 1 Rooftop AC Unit at City Hall;
- 3 Rooftop AC Units at Library;
- Painted Main Museum Bldg.;
- Town Hall Commission Room;
- Executive Room at City Hall;
- Removed all wallpaper and painted interior walls at Library;
- Municipal Court Renovations;
- Upgraded AC Units in Training Offices at PD;
- Renovated Fire Station #1 after the flooding;
- Removed and Replaced Roofing at FS#6 and FS#7; and
- Installed wind rated overhead doors & automated gate at FS#7.

No action was taken on this item.

4) **Approval of Minutes**

a) Jt. City Commission & EDC Meeting of October 2nd, 2019
Motion was made by Commissioner Puente and seconded by Commissioner Uribe to approve the minutes of the Jt. City Commission & EDC Meeting of October 2nd, 2019. Motion carried unanimously.

5a) Second and final reading to approve and adopt an ordinance amending the Harlingen Code of Ordinances, Chapter 6, Sec. 6-152. Micro-chipping of cats and dogs to include the words "not already micro-chipped" to paragraph (c).

b) Second and final reading to approve and adopt an ordinance amending Chapter 18 of the Harlingen Code of Ordinances establishing the correction of rental fees for the City Stage and Mobile Restroom.

c) Consideration and possible action to approve a request from Maggie Juarez of St. Anthony’s Catholic School to close the following sections of roadways/streets for St. Anthony’s Walk A Thon to be held at St. Anthony’s Catholic School, Friday, January 31, 2020 from 9:00 a.m. to 10:00 a.m.

- E. Van Buren Avenue from 10th to 11th Street
- E. Jackson Avenue from 10th to 11th Street

d) Consideration and possible action to approve a refund of property taxes paid by Stars Restaurants, LLC, Acct. #15-7000-0040-0060-00 in the amount of $1,882.37 due to a decrease in value for Year 2019.

e) Consideration and possible action to approve the preliminary and final plat with conditions of the proposed Industrial Estates Subdivision, bearing a legal description of 20.53 acres of land out of Lot 1, Block 1, Funk Seed Subdivision, located on the north side of E. Harrison Avenue, west of Bob Youker Street. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Chris Hamby.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to approve the Consent Agenda Items 5 (a) thru (e). Motion carried unanimously.

For the record the caption of the following ordinances read as follow:

ORDINANCE NO. 2019-40
AN ORDINANCE AMENDING ORDINANCE NO. 2016-13 AMENDING THE HARLINGEN CODE OF ORDINANCES, CHAPTER 6, ANIMALS, ARTICLE IV, ANIMAL CONTROL, SECTION 6-152 MICRO-CHIPPINGS OF CATS AND DOGS (C) TO INCLUDE THE WORDS "NOT ALREADY MICRO-CHIPED."

ORDINANCE NO. 2019-41
AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS AMENDING EXHIBIT "A" OF ORDINANCE NO. 2018-1 AND AMENDING CHAPTER 18, MASTER FEE SCHEDULE OF THE HARLINGEN CODE OF ORDINANCES ESTABLISHING FEES FOR CERTAIN LICENSES, PERMITS, AND OTHER SERVICES PROVIDED BY THE CITY OF HARLINGEN; AMENDING CHAPTER 36 PARKS AND RECREATION; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.
6) Consideration and possible action to approve a lease agreement between the City of Harlingen and the Lower Rio Grande Valley Development Council – Valley Metro for the use of the property and structure located at 201 N. T. Street, Harlingen, Texas.

Joel Garza, Special Projects Director, stated the Lower Rio Grande Valley Development Council-Valley Metro has been using the old Cameron County Pct. 4 Facility for their temporary transfer station since January, 2019. The City of Harlingen now owns the property. Staff is recommending that a lease agreement be done to outline the rules and responsibilities of each entity for the continued use of this property as a temporary transfer station. The lease agreement is similar to what the LRGVDC-Valley Metro originally had with Cameron County for an annual fee of $1.00.

Motion as made by Mayor Pro-Tem Mezmar and seconded by Commissioner De La Rosa to approve a lease agreement between the City of Harlingen and the Lower Rio Grande Valley Development Council – Valley Metro for the use of the property and structure located at 201 N. T. Street, Harlingen, Texas. Motion carried unanimously.

7) Consideration and possible action to approve an ordinance on first reading to abandon and vacate a 0.0508 acre tract, being a 10 ft. wide utility easement comprised of a portion of an existing 10 ft. wide utility easement being over and across Lot 1, Block 6, Target Subdivision, and over and across Lot 3, of the Replat of Lots 1 thru 3, Block 1, of Costa Del Sol Subdivision and Lots 1 and 2 of Target Subdivision, and consideration and possible action to approve an alternative utility easement being a 0.1043 of an acre tract, being a 10-ft wide easement over and across Lot 1, Block 6, Target Subdivision, and Lot 3 of Replat of Lots 1 thru 3, Block 1, Costa Del Sol Subdivision and Lots 1 and 2, Target Subdivision, located at 952 Dixieland Road. Applicant: Josh Bratton of Agree Development, LLC.

Javier Cervantes, Planning and Zoning Director stated Josh Bratton of Agree Development, LLC, and applicant is requesting that a proposed portion of an existing 10-ft. utility easement be abandoned and relocated to allow 20,000 sq. ft. for the development of TJ Max Retail Store. The easement interferes with the owner’s plan use of the property. The property is currently vacant. It has 250.90 ft. of frontage on a private road easement and a depth of 142.85 ft. at its longest point. The property has a 10 ft. wide utility easement that runs east and west through the property. The only utility line within the easement area is a waterline leading to an existing fire hydrant. Based on the site plan, the applicant is proposing to relocate the easement, waterline, and future fire hydrant to the north of the property. Harlingen Waterworks System does not object to the relocation of the waterline. This request was reviewed and approved by the Engineering Department, Fire Marshall, and utility companies.

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

Motion was made by Commissioner Leal and seconded by Commissioner Uribe to approve the ordinance on first reading to abandon and vacate a 0.0508 acre tract, being a 10 ft. wide utility easement comprised of a portion of an existing 10 ft. wide utility easement being
over and across Lot 1, Block 6, Target Subdivision, and over and across Lot 3, of the Replat of Lots 1 thru 3, Block 1, of Costa Del Sol Subdivision and Lots 1 and 2 of Target Subdivision, and to approve an alternative utility easement being a 0.1043 of an acre tract, being a 10-ft wide easement over and across Lot 1, Block 6, Target Subdivision, and Lot 3 of Replat of Lots 1 thru 3, Block 1, Costa Del Sol Subdivision and Lots 1 and 2, Target Subdivision, located at 952 Dixieland Road. Motion carried unanimously.

8) Consideration and possible action to adopt ‘Active Violence Incidents – Standard Operating Guideline’ as an addendum to the City’s Emergency Management Plan: proposed by Fire Chief Rogelio Rubio, Police Chief Mike Kester and EMS Director Bill Aston.

Roy Rubio, Fire Chief, stated Mike Kester, Chief of Police, and Bill Aston, with South Texas Emergency Care Foundation and himself have been working together to develop standard operating guidelines for active violence incidents. These guidelines will be made part of the City’s Emergency Plan in response to any active violence incident in the community, to ensure that proper coordination between the participating agencies and the safety of all emergency responders and the citizens.

Comments were heard from Mr. Aston as to the importance of having such a plan. He expressed his gratitude to Chief Rubio and Chief Kester for taking such measures to be prepared for these types of incidents.

Motion was made by Commissioner Uribe and seconded by Commissioner De La Rosa to adopt “Active Violence Incidents – Standard Operating Guideline” as an addendum to the City’s Emergency Management Plan. Motion carried unanimously.

9) Consideration and possible action to approve a resolution to open a brokerage account with TD Ameritrade to accept a donation for the Harlingen Public Library and designate the City Manager as the signatory.

Robert Rodriguez, Finance Director, stated a resolution was required for the City to open a brokerage account with TD Ameritrade to accept a donation from the Estate of Anthony and Susan Trahan for the Harlingen Public Library and to designate the City Manager as the signatory to open the account. The value of the donation is as follows:

- 210 Shares of MO – 11/30/19 - $10,437.00
- 150 Shares of AAPL – 11/30/19 - $40,087.00
- 38 Shares of PEGI – 11/30/19 - $1,045.76

Total Shares $51,570.26

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner De La Rosa to approve the resolution to open a brokerage account with TD Ameritrade to accept a donation for the Harlingen Public Library and designate the City Manager as the signatory. Motion carried unanimously.

10) Consideration and possible action to approve a resolution authorizing the Mayor to approve renewal of the three (3) year service agreement between MOTOROLA SOLUTIONS and the City of Harlingen Police Department for the monitoring and maintenance of Emergency Services Radio Communications Equipment in the amount of $158,083.02.
Michael Kester, Chief of Police recommended to renew the currently agreement between the City of Harlingen and Motorola Solutions for the monitoring and maintenance of Emergency Services Radio Communications Equipment. The service agreement is a three (3) year package totaling $158,083.02 payable in 3 annual installments of $52,694.34.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to approve the resolution authorizing the Mayor to sign the agreement for the renewal of the three (3) year service agreement between Motorola Solutions and the City of Harlingen Police Department for the monitoring and maintenance of Emergency Services Radio Communications Equipment for $158,083.02. Motion carried unanimously.

11) Consideration and possible action to approve an Interlocal Agreement between the City of Harlingen, and Cameron County to collaborate in the update to the Cameron County Hazard Mitigation Plan and authorize the City Manager to execute the agreement.

Carlos A. Sanchez, Asst. City Manager, stated the Cameron County Hazard Mitigation Plan was initially prepared and adopted in May, 2015. The Plan was jointly prepared by Cameron County and the City of Harlingen. Through the use of the plan, we are able to identify hazard risk assessments, mitigation actions, and prioritize based on hazard issues that are presented as the greatest risk to lives and property. One of the hazards is flooding. It is a requirement by the Federal Emergency Management Agency and the Texas Department of Emergency Management that all governmental jurisdictions are required to have a current Hazard Mitigation Plan to qualify for federal and stated mitigations funds. The plan must be updated every five (5) years and approved by FEMA. The proposed interlocal plan authorizes the City Manager to work with Cameron County and allocate resources, as permitted by the procurement policies and engage a consultant to assist in the process of updating the plan.

Motion was made by Commissioner Puente and Commissioner Leal to approve an Interlocal Agreement between the City of Harlingen, and Cameron County to collaborate in the update to the Cameron County Hazard Mitigation Plan and authorize the City Manager to execute the agreement. Motion carried unanimously.

12) Second and final reading to approve and adopt an ordinance amending the revenue and expenditure budget for the City of Harlingen, Texas for Fiscal Year October 1, 2019 through September 30, 2020. Total budget revenues will increase to $78,992,289 and total budget expenditure will increase to $35,274,832 respectively; providing for publication of the caption of this ordinance and ordaining other matters related to the foregoing.

Mr. Rodriguez, Finance Director, stated staff was recommending approval of the budget amendment and highlighted the following information.

- General Fund- Revenues increase by $433,779 - Expenditures increase by $2,681,882;
- Convention and Visitors Bureau Fund – Expenditures increase by $50,600;
- Award Programs – Restricted Fund – Revenue increase by $2,681,882;
- Capital Improvement Fund – Expenditures increase - $13,901;
- Infrastructure Fund – Expenditures increase by $1,250,602;
- Municipal Auditorium Fund – Expenditures increase by $4,615;
- Sanitation Fund – Expenditures increase by $20,507
- Municipal Golf Course Fund – Expenditure by $20,507;
- Motor Vehicle Warehouse Fund – Revenues decrease by $1,710,592 (after first reading - Expenditure increase by $191,703; and
- Total Revenues increase by $1,407,069 – Expenditure increase $6,027,475 ($1,710,592 decrease in revenues after the first reading of the ordinance.

Mr. Rodriguez stated this budget amendment allocates funds for prior year unspent encumbrances, grants, and other revenues and expenditures which were not included in the
current fiscal year approved budget. Exhibit ‘A’ displays total revenues, expenditures, and estimated fund balances by fund after the amendment. Exhibit ‘B’ displays detailed changes in revenues and expenditures by account numbers.

Motion was made by Commissioner Puente and seconded by Commissioner Leal to approve the second and final reading of the ordinance amending the revenues and expenditures budget for the City of Harlingen, Texas for Fiscal Year October 1, 2019 through September 30, 2020, total budget revenues will increase to $78,992,289 and total budget expenditure will increase to $85,274,832 respectively; providing for publication of the caption of this ordinance and ordaining other matters related to the foregoing. Motion carried unanimously.

ORDINANCE NO.____

AN ORDINANCE AMENDING THE REVENUE AND EXPENDITURE BUDGET FOR THE CITY OF HARLINGEN, TEXAS, FOR FISCAL YEAR OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020, TOTAL BUDGET REVENUES WILL INCREASE TO $78,992,289 AND TOTAL BUDGET EXPENDITURES WILL INCREASE TO $85,274,832 RESPECTIVELY; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this 4th day of December, 2019
PASSED AND APPROVED on second reading this 18th day of December, 2019

CITY OF HARLINGEN
/\CHRIS BOSWELL, MAYOR

ATTEST:
/\AMANDA C. ELIZONDO, CITY SECRETARY

13) Board Appointments

Commissioner Uribe appointed Javier De Leon to the Museum Board.

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to appoint Javier De Leon to the Museum Board. Motion carried unanimously.

Adjournment

There being no other business to discuss, Mayor Boswell adjourned the meeting at 8:06 p.m.

City of Harlingen

ATTEST: Chris Boswell, Mayor

Amanda C. Elizondo, City Secretary
ORDINANCE NO. 20---

AN ORDINANCE ABANDONING AND VACATING A 0.0508 ACRE TRACT, BEING A 10 FT. WIDE UTILITY EASEMENT COMPRISED OF A PORTION OF AN EXISTING 10 FT. WIDE UTILITY EASEMENT, BEING OVER AND ACROSS LOT 1, BLOCK 6, TARGET SUBDIVISION, AND OVER AND ACROSS LOT 3, OF THE REPLAT OF LOTS 1 THROUGH 3, BLOCK 1, OF COSTA DEL SOL SUBDIVISION AND LOTS 1 AND 2 OF TARGET SUBDIVISION, LOCATED AT 952 DIXIELAND ROAD

WHEREAS, a ten (10) foot wide utility easement being a 0.0508 acre tract, being a portion of an existing ten (10) foot wide utility easement, being over and across Lot 1, Block 6, Target Subdivision, and over and across Lots 3, of the Replat of Lots 1 through 3, Block 1, of Costa Del Sol Subdivision and Lots 1 and 2 of Target Subdivision as described in Exhibit “A”; and

WHEREAS, a request has been made by Agree Development, LLC, which is the landowner for the subject lot which contains the utility easement to be abandoned;

WHEREAS, the said non-access easement interferes with the future development of the subject property; and

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

SECTION 1: That the portion of the ten (10) foot utility easement located on Lot 1, Replat of Lots 1 through 3, Block 1 of Costa Del Sol Subdivision and Lots 1 and 2 of Target Subdivision Harlingen, Cameron County, Texas, according to Document No. 13686 of the Map Records of Cameron County, Texas and as described in Exhibit “A” is hereby abandoned and vacated.

FINALLY ENACTED this ______ day of January, 2020 at a regular meeting of the Commission of the City of Harlingen, Texas at which a quorum was present and which was held

In accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.
CITY OF HARLINGEN

Chris Boswell, Mayor

ATTEST:

Amanda Elizondo, City Secretary
EXHIBIT "A"

NOTES:
1. DRAWINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE
2. THE TRACT SHOWN HEREIN IS SUBJECT TO ALL CAMERON COUNTY ORDINANCES AND
   RESTRICTIONS.
3. PLAT AND RECORDS WERE PREPARED FOR THIS DOCUMENT.
4. ADDENDUM SHOWN HEREIN ARE FOR CURRENT BEXAR COUNTY APPRAISAL DISTRICT
   MEASURES AND OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

SYMBOL LEGEND

- RH ROUND 1/8" IRON ROD OR 1/16" DIA. WELDED W/ BLUE CAP STAMPED "SURVEYING" 
- SR SIGN OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF CAMERON COUNTY, TEXAS
- M.R.C.C. MAP RECORDS OF CAMERON COUNTY, TEXAS

LOT 1
- BLOCK 1
- TARGET SUBDIVISION
(CABINET 1 PAGE 103-2 A.M.R.C.C.)

LOT 2
- REPLAT OF LOTS 1 THROUGH 3, BLOCK 1
- OF COSTA DEL SOL SUBDIVISION AND LOTS 1 AND 2 OF TARGET SUBDIVISION
(DOCUMENT #13599 M.R.C.C.)

LOT 3
- REPLAT OF LOTS 1 THROUGH 3, BLOCK 1
- OF COSTA DEL SOL SUBDIVISION AND LOTS 1 AND 2 OF TARGET SUBDIVISION
(DOCUMENT #13599 M.R.C.C.)

30' PRIVATE ROAD EASEMENT
(CABINET 1 PAGE 103-2 A.M.R.C.C.)

PROPOSED 10' UTILITY EASEMENT

LOT 1
- BLOCK 8
- TARGET SUBDIVISION
(CABINET 1 PAGE 103-2 A M.R.C.C.)

LOT 3
- REPLAT OF LOTS 1 THROUGH 3, BLOCK 1
- OF COSTA DEL SOL SUBDIVISION AND LOTS 1 AND 2 OF TARGET SUBDIVISION
(DOCUMENT #13599 M.R.C.C.)

0.0508 OF AN ACRE

(2,215 sq. ft.)

EASEMENT DETAIL

SCALE 1" = 60'

<table>
<thead>
<tr>
<th>LINE</th>
<th>LENGTH</th>
<th>DIRECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>10.00'</td>
<td>S89°39'36&quot;E</td>
</tr>
<tr>
<td>L2</td>
<td>10.00'</td>
<td>N89°39'36&quot;W</td>
</tr>
</tbody>
</table>
A 0.1043 of an acre tract, being a 10 foot wide Utility Easement over and across Lot 1, Block 6 of the Target Subdivision, a plat of record in Cabinet 1 Page 1032-A of the Map Records of Cameron County, Texas. Lot 3 of the replat of Lots 1 through 3, Block 1 of Costa Del Sol Subdivision and Lots 1 and 2 of Target Subdivision of record in Document No. 15666 of the Map Records of Cameron County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a found ½" iron rod in the west right-of-way line of Dixieland Rd, an 00' right-of-way, for the southeast corner of Lots 1 thru 3, Block 1 of the Costa Del Sol Subdivision Section 1, a plat of record in Cabinet 1 Page 504-A of the Map Records of Cameron County, Texas and the northeast corner of Lot 1, Block 6;

THENCE: S 86°34'51" W, over and across Lot 1, Block 6, a distance of 318.14 feet to a point, for the POINT OF BEGINNING and the northeast corner of the tract described herein, from which a set ½" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for the northeast corner of Lot 3, bears S 52°35'22" W, a distance of 16.53 feet;

THENCE: continuing over and across Lot 1, Block 6 and Lot 3, the following three (3) courses:

1. S 00°00'00" E, a distance of 25.00 feet to point, for a southeast corner of the easement described herein,
2. N 89°49'11" W, a distance of 10.00 feet to a point, for a corner of the easement described herein, and
3. N 00°00'00" W, a distance of 15.00 feet to point in the north line of Lot 3 and a south line of Lot 1 Block 6, for an interior corner of the easement described herein;

THENCE: along and with the common line of Lot 1, Block 6 and Lot 3, the following two (2) courses:

1. N 89°49'11" W, a distance of 192.74 feet to a set ½" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for the northwest corner of Lot 3, an interior of Lot 1, Block 6 and the easement described herein, and
2. S 00°10'50" W, a distance of 85.29 feet to a point in the south line of a 10' utility easement of record on the Target Subdivision, a southerly southeast corner of the easement described herein, from which a set ½" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for a southwest corner of Lot 3 bears, S 00°10'50" W, a distance of 39.03 feet;

THENCE: over and across Lot 1, Block 6, the following five (5) courses:

1. S 09°39'36" W along and with the south line of the 10 foot utility easement of record on the Target Subdivision, a distance of 151.37 feet to a point in the east line of a 30' CPM Easement of record in Volume 1333 Page 546 of the Official Public Records of Cameron County, Texas, for the southeast corner of the easement described herein.
AGENDA ITEM  
EXECUTIVE SUMMARY

Meeting Date: January 15, 2020

**Agenda Item:** Consideration and possible action to approve a request from Cameron County Election Department to use the Cultural Art Center, Studio A & B located on 576 "76" Drive, Harlingen, Texas as a voting site for the Primary and General Election for 2020. Attachment (Public Building)

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

**Brief Summary:**
The Cameron County Election Administrator has submitted a formal request to the City requesting the use of the Cultural Art Center Studio A & B for the 2020 Primary and General Election. Election Days are as follows:

- **Primary Election Early Voting,** Tuesday, February 18, thru Friday, February 28, 2020
- **Primary Election Day,** Tuesday, March 3, 2020.
- **Primary Runoff Election Early Voting,** Monday, May 18, thru Friday, May 22, 2020.
- **Primary Runoff Election Day,** Tuesday, May 26, 2020
- **General Election Early Voting,** Monday, October 19 thru Friday, October 30, 2020.

See attached letter from the Cameron County Election Administrator.

**Funding (if applicable):**
Are funds specifically designated in the current budget for the full amount for this purpose?  
Finance Director’s approval:  
Staff Recommendation: Staff recommends approval for the use of the building for the primary and general election on the dates requested.

City Manager’s approval:  
Comments:

City Attorney’s approval:  
1/9/2020
December 20, 2019

Amanda Elizondo  
City Secretary  
City of Harlingen  
118 E. Tyler Ave.  
Harlingen, Texas 78550

Dear Ms. Elizondo,

This is our official request to designate the following location as an Early Voting site for the Democratic and Republican Primary Elections to be held on Tuesday, March 3, 2020:

Harlingen Cultural Arts Center, 576 “76” Dr., Harlingen, Texas

The dates for early voting are as follow:

- Tuesday, Feb. 18 thru Friday, Feb. 21: 9:00 a.m. to 7:00 p.m.
- Saturday, Feb. 22: 8:00 a.m. to 8:00 p.m.
- Sunday, Feb. 23: 9:00 a.m. to 2:00 p.m.
- Monday, Feb. 24 thru Wednesday, Feb. 26: 9:00 a.m. to 7:00 p.m.
- Thursday, Feb. 27 and Friday, Feb. 28: 8:00 a.m. to 8:00 p.m.

If you agree, we will be delivering voting equipment a few days before Election Day begins. It will need to be stored in a secure area and be available during the election. We will also need three (3) folding tables, (4-6) chairs and working 120-volt electrical plugs for the equipment.

Upon consideration and agreement, please fax us a confirmation letter at (956) 550-7298 or email it to Maribel.diaz@co.cameron.tx.us. We greatly appreciate your help in making the approaching elections a success.

Thank you in advance for your consideration to this request.

Sincerely,

Remi Garza  
Elections Administrator
November 12, 2019

Amanda Elizondo  
City Secretary  
City of Harlingen  
118 E. Tyler Ave.  
Harlingen, Texas 78550

Dear Ms. Elizondo:

The Elections Department is preparing to conduct several elections in the calendar year 2020. We are officially requesting future dates in advance for availability. An official letter will follow before every election with specific dates and times. We would appreciate your consideration regarding our request for your approval.

Harlingen Cultural Arts Center, 576 “T” Dr., Harlingen, Texas

Dates are tentatively as follow:

Election s for 2020

First Day of Early Voting, Tuesday, February 18, 2020 – Last Day of Early Voting, Friday, February 28, 2020  
(Tuesday, March 3, 2020, Primary Election Day)

(Tuesday, May 26, 2020, Primary Runoff Election Day)

First Day of Early Voting, Monday, October 19, 2020 – Last Day of Early Voting, Friday, October 30, 2020  
(Tuesday, November 3, 2020 Election Day)

Should you have any questions, please don’t hesitate to call the office at (956) 544-0809.

Thank you in advance for your corporation.

Sincerely,

Remi Garza  
Elections Administrator
## Important 2020 Election Dates

**Tuesday, March 3, 2020 - Primary Election**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>First day to file for a place on the Primary ballot for precinct chair candidates.</td>
<td>Tuesday, September 10, 2019</td>
</tr>
<tr>
<td>First day to file for all other candidates for offices that are regularly scheduled to be on the Primary ballot; first day for independent candidates to file declaration of intent.</td>
<td>Saturday, November 9, 2019</td>
</tr>
<tr>
<td>Filing deadline for candidates; filing deadline for independent candidates to file declaration of intent.</td>
<td>Monday, December 9, 2019 at 6:00 PM</td>
</tr>
<tr>
<td>First day to apply for a ballot by mail using Application for a Ballot by Mail (ABBM) or Federal Postcard Application (FPCA).</td>
<td>Wednesday, January 1, 2020*</td>
</tr>
</tbody>
</table>

*First day to file does not move because of New Year's Day holiday. An "Annual ABBM" or FPCA for a January or February 2020 election may be filed earlier, but not earlier than the 60th day before the date of the January or February election.

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Day to Register to Vote</td>
<td>Monday, February 3, 2020</td>
</tr>
<tr>
<td>First Day of Early Voting</td>
<td>Tuesday, February 18, 2020*</td>
</tr>
<tr>
<td>First business day after Presidents' Day</td>
<td></td>
</tr>
<tr>
<td>Last Day to Apply for Ballot by Mail (Received, not Postmarked)</td>
<td>Friday, February 21, 2020</td>
</tr>
<tr>
<td>Last Day of Early Voting</td>
<td>Friday, February 28, 2020</td>
</tr>
<tr>
<td>Last day to Receive Ballot by Mail</td>
<td>Tuesday, March 3, 2020 (Election Day) at 7:00 p.m. If carrier envelope is not postmarked, OR Wednesday, March 4, 2020 (next business day after Election Day) at 5:00 p.m. If carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply)</td>
</tr>
</tbody>
</table>

**Saturday, May 2, 2020 - Uniform Election Date (Limited)**

<table>
<thead>
<tr>
<th>Authority Conducting Elections</th>
<th>Local Political Subdivisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>(County-ordered elections may not be held on this date. County Election Official may, but is not required to, contract to provide election services to political subdivisions holding elections on this date.)</td>
<td></td>
</tr>
<tr>
<td>Deadline to post NEW HB 305 notice.</td>
<td>September 1, 2019*</td>
</tr>
<tr>
<td>*NEW LAW: Effective Sunday, September 1, 2019 (HB 305 affects political subdivisions with taxing authority)</td>
<td></td>
</tr>
<tr>
<td>Deadline to Post Notice of Candidate Filing Deadline (Local Political Subdivisions Only)</td>
<td>Monday, December 18, 2019 for local political subdivisions that have a first day to file for their candidates</td>
</tr>
<tr>
<td>First Day to Apply for Ballot by Mail</td>
<td>Wednesday, January 1, 2020*</td>
</tr>
<tr>
<td>*First day to file does not move because of New Year's Day holiday. An &quot;Annual ABBM&quot; or FPCA for a January or February 2020 election may be filed earlier, but not earlier than the 60th day before the date of the January or February election.</td>
<td></td>
</tr>
</tbody>
</table>

[https://www.sos.state.tx.us/elections/Voter/2020-important-election-dates.shtml](https://www.sos.state.tx.us/elections/Voter/2020-important-election-dates.shtml)
### Important 2020 Election Dates

<table>
<thead>
<tr>
<th>Event</th>
</tr>
</thead>
</table>
| First Day to File for a Place on the General Election Ballot (Local Political Subdivisions Only)
First Last Day to Order General Election or Special Election on a Measure
Last Day to File for a Place on the General Election Ballot (Local Political Subdivisions Only)
First Day to File a Declaration of Write-In Candidacy (Local Political Subdivisions Only)
Last Day to Register to Vote
First Day of Early Voting by Personal Appearance
Last Day to Apply for Ballot by Mail (Received, not Postmarked)
Last Day of Early Voting by Personal Appearance
Last day to Receive Ballot by Mail |
<table>
<thead>
<tr>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday, January 15, 2020</td>
</tr>
<tr>
<td>Friday, February 14, 2020</td>
</tr>
<tr>
<td>Friday, February 14, 2020 at 5:00 p.m.</td>
</tr>
<tr>
<td>See note below relating to four-year term</td>
</tr>
<tr>
<td>Tuesday, February 18, 2020</td>
</tr>
<tr>
<td>Thursday, April 2, 2020</td>
</tr>
<tr>
<td>Monday, April 20, 2020</td>
</tr>
<tr>
<td>Monday, April 20, 2020 (deadline falls on San Jacinto Day, moves to preceding business day)</td>
</tr>
<tr>
<td>Tuesday, April 28, 2020</td>
</tr>
<tr>
<td>Saturday, May 2, 2020 (Election Day) at 7:00 p.m. If carrier envelope is not postmarked, OR Monday, May 4, 2020 (next business day after Election Day) at 8:00 p.m. If carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply)</td>
</tr>
</tbody>
</table>

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### Tuesday, May 26, 2020 - Primary Runoff Election

<table>
<thead>
<tr>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>First day to apply for a ballot by mail using Application for a Ballot by Mail (ABBM) or Federal Postcard Application (FPCA)</td>
</tr>
<tr>
<td>Date</td>
</tr>
<tr>
<td>Wednesday, January 1, 2020</td>
</tr>
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*First day to file does not move because of New Year's Day holiday. An "Annual ABBM" or FPCA for a January or February 2020 election may be filed earlier, but not earlier than the 60th day before the date of the January or February election.*

<table>
<thead>
<tr>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Day to Register to Vote</td>
</tr>
<tr>
<td>First Day of Early Voting</td>
</tr>
<tr>
<td>First Day to Apply by Mail (Received, not Postmarked)</td>
</tr>
<tr>
<td>Last Day of Early Voting</td>
</tr>
<tr>
<td>Last Day to Receive Ballot by Mail</td>
</tr>
<tr>
<td>Date</td>
</tr>
<tr>
<td>Monday, April 27, 2020</td>
</tr>
<tr>
<td>Monday, May 18, 2020</td>
</tr>
<tr>
<td>Friday, May 15, 2020</td>
</tr>
<tr>
<td>Friday, May 22, 2020</td>
</tr>
<tr>
<td>Tuesday, May 26, 2020 (Election Day) at 7:00 p.m. If carrier envelope is not postmarked, OR Wednesday, May 27, 2020 (next business day after Election Day) at 8:00 p.m. If carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply)</td>
</tr>
</tbody>
</table>

### Tuesday, November 3, 2020 - Uniform Election Day

<table>
<thead>
<tr>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deadline to post NEW HB 305 notice.</td>
</tr>
<tr>
<td>Date</td>
</tr>
<tr>
<td>November 3, 2019</td>
</tr>
</tbody>
</table>

*NEW LAW: Effective Sunday, September 1, 2019 (HB 305 affects political subdivisions with taxing authority).*

<table>
<thead>
<tr>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deadline to Post Notice of Candidate Filing Deadline (Local Political Subdivisions Only)</td>
</tr>
<tr>
<td>First Day to Apply for Ballot by Mail</td>
</tr>
<tr>
<td>First Day to File for a Place on the General Election Ballot (Local Political Subdivisions Only)</td>
</tr>
<tr>
<td>First Day to File a Declaration of Write-In Candidacy (General Election for State and County Officers)</td>
</tr>
<tr>
<td>Date</td>
</tr>
<tr>
<td>Thursday, June 10, 2020 for local political subdivisions that have a first day to file for their candidates</td>
</tr>
<tr>
<td>Wednesday, January 1, 2020</td>
</tr>
<tr>
<td>Saturday, July 18, 2020</td>
</tr>
<tr>
<td>Saturday, July 18, 2020</td>
</tr>
</tbody>
</table>

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https://www.sos.state.tx.us/elections/voter/2020-important-election-dates.shtml
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: January 15, 2020

Agenda Item:
Consideration and possible action to approve a request from Jun Ellorimo to hold the Health Fitness Expo Packet Pick-up at Casa de Amistad located at 1204 Fair Park Blvd., Saturday, February 8th, from 10 a.m. to 6 p.m. and close the following streets to hold the Marathon, Sunday, February 9th, 2020 from 4:00 a.m. to 5:00 p.m.

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

Brief Summary:
The Fitness Expo and Packet Pick-up will be held at Lon C. Hill on Fair Park Boulevard located on North “L” Street Fair Park Boulevard on Saturday, February 8, 2020, at the Casa de Amistad located at 1204 Fair Park Blvd. The Packet Pick-up will be from 10:00 a.m. to 6:00 p.m. and the street closures have two parts as follow:

Part 1 of the street closure is for Fitness Expo and Packet Pick-up on Saturday, February 8, 2020 from 10:00 a.m. to 6:00 p.m.:
- Fair Park Blvd. from the Harlingen Performing Arts Theater (1209 Fair Park Blvd.) South West corner of “J” Street to the north curb of Fair Park Blvd. in front of the parking area of the Casa de Amistad
- The entry point to the Harlingen Performing Arts Theater off “J” Street to avoid any through traffic
- Northwest side street of the Harlingen Auditorium
- Northeast side street of the Casa de Amistad

Part 2 of the street closure is for the actual Marathon Route and is requested on Sunday, February 9, 2020 from at 4:00 a.m. to 5:00 p.m. The Marathon specific roadways and intersections are listed on the attached request.

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

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

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

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

Staff Recommendation:
| 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

DATE: January 7, 2020

FROM: Officer Hector Villegas # 4211

RE: Harlingen Marathon

REQUESTOR: Jun Ellorino

EVENT NAME: Harlingen Marathon

DATE: Saturday, February 8 and Sunday, February 9, 2020

TIME: Saturday 02/08/2020 from 6:00 AM to Sunday 02/09/2020 to 3:00 PM

LOCATION: Casa De Amistad

DESCRIPTION: The Harlingen Marathon will be held at Lon C. Hill on Fair Park Blvd located on N L St and Fair Park Blvd. in Harlingen, TX. on February 8, 2020 which will consist of the Fitness Expo and Packet Pick-Up to be held at the Casa de Amistad located at 1204 Fair Park Blvd. The Packet Pickup will be from 10:00 AM to 6:00 PM. The Harlingen Marathon will then continue on to Sunday, February 9, 2020 from 4:00 AM to 5:00 PM.

COMMENTS/NOTES: To ensure the safety of all Participants, Jun Ellorino is requesting the following streets to be blocked off for the Fitness Expo/Packet Pick-Up

1. Fair Park to be closed from the Harlingen Performing Arts Theater (1209 Fair Park Blvd) South West corner of J St to the North Curb of Fair Park in front of the parking area of the Casa de Amistad (8 Barricades)
2. The entry point to the Harlingen Performing Arts Theater off J St to avoid any through traffic (1 Barricade)
3. North West side street of the Harlingen Auditorium (2 Barricades)
4. North East side street of Casa de Amistad (2 Barricades)

The Harlingen Police is requesting the delivery of 21 Barricades to be dropped for the Fitness Expo/Packet Pick-Up

<table>
<thead>
<tr>
<th>OFFICER / EMPLOYEE</th>
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<tbody>
<tr>
<td>Officer Hector Villegas # 4211</td>
<td>[Signature]</td>
<td>January 07, 2020</td>
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<tr>
<td>SERGEANT / SUPERVISOR</td>
<td>[Signature]</td>
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<td>COMMANDER / MANAGER</td>
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<td>DEPUTY CHIEF</td>
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<td>CHIEF OF POLICE</td>
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</table>
The Harlingen Marathon is to begin on Sunday, February 10, 2020 at Harlingen Performing Arts at 4:00 AM and ending at 2:30 PM (time to be exact on the last runner to finish the run) when barricades can be broken down for pick up. The route this year 2020 is 2 loops of the 13.1 Half Marathon. The only difference is the turnaround for the 2nd loop for the Full (26.2) Marathon where runners will instead take a LEFT on FAIR PARK and do another LEFT on TEEGE Rd and proceed to merge on L ST and continue the Half (13.1) Marathon route.

1. Fair Park to be closed from the Harlingen Performing Arts Theater the South West corner of J St to the North Curb of Fair Park in front of the parking area of the Casa de Amistad (6 Barricades)
2. L St to be closed from the North East corner of Adams Ave. to the curb on the West side of L St (4 Barricades)
3. Fair Park to be closed on both sides of Teege Rd on the North and South side (6 Barricades)
4. West side of Barton St. on L St (1 Barricade)
5. L St and W Jackson St (2 Barricades)
6. Jackson St and L St (1 Barricade)
7. W Van Buren St and L ½ St (2 Barricades)
8. W Van Buren St and K St (2 Barricades)
9. W Van Buren St and J St (2 Barricades)
10. W Van Buren St and Eye St (2 Barricades)
11. W Van Buren St and H St (2 Barricades)
12. W Van Buren St and G St (2 Barricades)
13. W Van Buren St and F St (2 Barricades)
14. W Van Buren St and E St (2 Barricades)
15. W Van Buren St and D St (2 Barricades)
16. W Van Buren St and C St (2 Barricades)
17. W Van Buren St and West St (2 Barricades)
18. Jackson St and Commerce St (6 Barricades)
19. Jackson St and A St (1 Barricade)
20. Jackson St and 1st St (4 Barricades)
21. Jackson St and 2nd St (4 Barricade)
22. Jackson St and 3rd St (4 Barricade)
23. Jackson St and 4th St (4 Barricade)
24. Jackson St and 5th St (4 Barricade)
25. Jackson St and 6th St (4 Barricade)
26. 6th St and Monroe Ave (1 Barricade)
27. 6th St and Madison Ave (1 Barricade)
28. 6th St and Jefferson Ave (2 Barricades)
29. 3rd St and Washington Ave (2 Barricades)

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30. 5th St and Austin St (2 Barricades)
31. 7th St and Austin St (2 Barricades)
32. 9th St and Austin St (1 Barricade)
33. 11th St and Austin St (2 Barricades)
34. Business 77 and Austin St (5 Barricades)
35. 13th St and Austin Ave (2 Barricades)
36. 13th St and Bowie Ave (2 Barricades)
37. 13th St and Crockett Ave (2 Barricades)
38. 13th St and Grimes Ave (2 Barricades)
39. Grimes Ave and High St (2 Barricades)
40. Grimes Ave and Pendleton Park Entrance (1 Barricade)
41. Pendleton Park Exit and Morgan Blvd (1 Barricade)
42. Morgan Blvd and Warren St (1 Barricade)
43. Morgan Blvd and Charles St (1 Barricade)
44. Morgan Blvd and Rio Hondo St (4 Barricades)
45. Rio Hondo Rd and 29th St (2 Barricades)
46. Loop 499 and Oak "TSTC Campus" (4 Barricades)
47. Morgan Blvd and Phoenix St "Harlingen School of Health Professions" (1 Barricade)
48. 21st St. and between Memoriaal Middle School/Harlingen School of Health Profession (2 Barricades)
49. 1 Barricade needed at the intersection of Rio Hondo Rd and N. 21st St blocking traffic traveling South on 21st St
50. 1 Barricade needed at the intersection of Rio Hondo Rd and High St. blocking traffic traveling North on High St.
51. 3 Barricade needed at the intersection of Rio Hondo Rd and 13th St. requesting Officer with Unit and will need to direct traffic at intersection.
52. 2 Barricade needed at the intersection of North 13th St. and Marshall St. blocking traffic traveling East on Marshall St.
53. 1 Barricade needed at the intersection of North 13th St. and Carrol St. blocking traffic traveling East on Carrol St.

The applicant is requesting 131 Barricades and the use of multiple Units with Officers to supplement this event. Officers and Units will ensure the safety of the hundreds of participants in this year’s Harlingen Marathon.

A copy of this year’s Marathon Route Map was not provided and has changed due to the construction being done on the East Side of Harlingen.

**RECOMMENDATION:** Approve / Disapprove
From: Jun Ellorimo <jun.ellorimo@yahoo.com>
Sent: Monday, January 6, 2020 7:59 PM
To: Villegas, Hector
Cc: Kester, Mike; Leal, Hector; HPD Executive Staff; Pena, Frances
Subject: HARLINGEN MARATHON 2020 ROUTE - 2 LOOPS OF 13.1

* Harlingen Marathon 2020 this Feb 9 Sunday will start 6:30am wth a cut-off finish time of 2pm.

* The loop this year will be 2 loops of the original 13.1 mile route.

* The only difference will be where FULL MARATHON RUNNERS will need to TURN LEFT ON FAIR PARK from L St. They will turn LEFT AGAIN on TEEGE as it merges to L St heading south to Van Buren and continue to the 1st 13.1 route. Upon completing 2 laps of the 13.1 mile route, FULL MARATHON FINISHERS will TURN RIGHT on FairPark and proceed towards the Start/Finish area.

* Half Marathon (13.1) runners will turn right on Fair Park to proceed towards The Harlingen Performing Arts Bldg.

* Half Marathon (13.1) will start @ 7am and the VMMC 5k @ 8am.
Good morning Sir,

I reviewed the attached PDF of the road closure last year for The Harlingen Marathon 2019. The route this year 2020 is 2 loops of the 13.1 Half Marathon. The only difference is the turnaround for the 2nd loop for the Full (26.2) Marathon where runners will instead take a LEFT on FAIR PARK and do another LEFT on TEEGE Rd and proceed to merge on L ST and continue the Half (13.1) Marathon route. The changes from the PDF copy submitted from last year are as follows:

* Dates are Feb 8 (Saturday), and Feb 9 Sunday for the Harlingen Marathon Weekend 2020

* Feb 8 Saturday is The Health Expo and Packet pick up @ Casa de Amistad. We request Fair Park from the Harlingen Performing Arts Theater and to L Street be closed starting on Feb 8 Saturday 6 am to allow the staging and set-up for the Marathon Start/Finish and also for the Expo. This closure will continue until the following day when the whole marathon ends on Feb 9 Sunday 2:30 pm

* PLEASE REMOVE the KIDFIT event road closure request #1. However, request #2 all the way to #5 remains the same as we will be needing that closure for the Health Expo & Packet pick-up of The Harlingen Marathon 2020. Start/Finish will be on Fair Park this year close to Harlingen Performing Arts Theater. City Stage, marathon barricades, and all set up will be blocking Fair Park around the Casa de Amistad area.

* On the Harlingen Marathon 2019 PDF request
  PLEASE KEEP request item #1, #2, and #3.

* PLEASE REMOVE item #4 all the way to #32 as we will not be utilizing the West Side part of the original route due to construction.

*Request item #33 all the way #82 WILL REMAIN THE SAME

Total Barricades will no longer be 160 but it will be 131 BARRICADES.

Thank you,

Jun / Edith Ellorimo
Harlingen Marathon 2020
Elizondo, Amanda C.

From:       Pena, Frances
Sent:       Tuesday, January 07, 2020 4:22 PM
To:         Elizondo, Amanda C.; Herrera, Mayra
Subject:    STREET CLOSURE REQUEST - 2020 HARLINGEN MARATHON
Importance: High

Amanda:
Below is the Assistant Fire Chief’s approval.

Thank you!
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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From: Balboa, Ruben
Sent: Tuesday, January 7, 2020 4:20 PM
To: Pena, Frances
Cc: Alvarez, Eduardo; Rubio, Roy
Subject: RE: STREET CLOSURE REQUEST - 2020 HARLINGEN MARATHON

Good afternoon Ms. Frances,

After reviewing the street closures for the marathon, HFD does not have any problem with it.

Thank you,

Ruben C. Balboa
Assistant Fire Chief
Training Division

Harlingen Fire Dept. / EOC
24200 N. FM 509
Harlingen, TX 78550
Work (956) 230-8056
Cell (956) 226-7649
Donna,
Please ask Asst Chief Balboa to review the request below.

Sent from my T-Mobile 4G LTE Device

-------- Original message --------
From: "Pena, Frances" <francespena2@harlingenpolice.com>
Date: 1/7/20 10:44 AM (GMT-06:00)
To: "Rubio, Roy" <rrubio@myharlingen.us>, "Alvarez, Eduardo" <ealvarez@myharlingen.us>, "Henderson, Donna" <dhenderson@myharlingen.us>, "Robles, Lile" <lile@myharlingen.us>
Subject: STREET CLOSURE REQUEST - 2020 HARLINGEN MARATHON

Good Morning Asst. Fire Chief Alvarez:

I am so sorry to ask that you please review this street closure request ASAP and provide your recommendation immediately so that we can include as an agenda item at the next City Commission meeting. The deadline to submit to the City Secretary was this past Friday but we just received this request today.

Again, I apologize for the short notice.

Thank you!

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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copying, distribution or taking of any action in reliance on the contents of this email information is strictly forbidden and prohibited. If you have received this email in error, please immediately notify us by telephone to arrange for the disposition of the original documents.
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: January 15, 2020

<table>
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<tr>
<th>Agenda Item:</th>
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<tbody>
<tr>
<td>Public hearing and take action to consider an Ordinance on First Reading to rezone from Not Designated (N) District to General Retail (GR) District for 9.778 acres out of Lot 13 and 14, Block 133, San Benito Land and Water Company Subdivision, located at the southwest corner of FM 509 and East Treasure Hills Boulevard. Applicant: Minnie Criado</td>
</tr>
</tbody>
</table>

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

Brief Summary:

Project Timeline:

- **October 31, 2019** – Application for rezoning was submitted to the Planning and Development Department. (ATTACHMENT I)
- **December 12, 2019** – In accordance with State Statute and local law, notice of the required public hearings was published in the Valley Morning Star and mailed to all property owners within 200 feet of subject tract.
- **January 8, 2019** – Public hearing was conducted by the Planning and Zoning Commission (P&Z). The P&Z Commission recommended approval of the rezoning request by a 4 to 0 vote.
- **January 15, 2019** – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- **February 5, 2020** – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary:

- The applicant is requesting to rezone the subject property from Not Designated (N) District to General Retail (GR) District for a future retail development. (ATTACHMENT II)
- The property is located on the north side of Helen Moore Rd. (FM 509) and south side of E. Treasure Hills Blvd. It has approximately 878.96 ft. of frontage along Helen Moore Rd. and approximately 600 ft. along E. Treasure Hills Blvd. Helen Moore Rd. (FM 509) has 150 ft. of ROW with 50 ft. of pavement and E. Treasure Hills Blvd. has 80 ft. of ROW with 44 ft. of pavement. (ATTACHMENT III-IV)
- Adjacent zoning is General Retail (GR) District to the northwest, Multifamily (M2) District to the north, and Not Designated (N) District to the northwest and northeast. Properties to the south are outside the city limits. Surrounding uses are Cameron County drain ditch and vacant agriculture land.
- Some of the permitted uses in the General Retail (GR) District include retail businesses, personal services, professional offices, gas stations, car wash business, and restaurants. Uses such as open air businesses, bar/lounges, and warehousing require approval of a Special Use Permit (SUP) by the Planning and Zoning Commission.
- The property is currently vacant. A recorded subdivision is required prior to building
permit issuance.
- The Future Land Use Plan (FLUP) component of the City of Harlingen One Vision One Harlingen Comprehensive Plan designates this area as Mixed Use. The requested zoning is generally consistent with the Future Land Use Plan and the general retail zoning pattern northwest of the subject property. (ATTACHMENT V)
- The Planning and Development Department has not received any opposition to the rezoning request.

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

| Comments: |
| City Attorney’s approval: | Yes | No | N/A |
# CITY OF HARLINGEN PLANNING AND ZONING DIVISION
## MASTER APPLICATION

### PROPERTY INFORMATION:
- **Project Address:**
- **Nearest Intersection:** Helen Moore Rd / Road
- **(Proposed) Subdivision Name:** San Benito Land & Water Co Lot 137 14
- **Block:** 133
- **Existing Zoning Designation:** Agriculture
- **Future Land Use Plan Designation:** Commercial

### OWNER/APPLICANT INFORMATION:
- **Applicant/Authorized Agent:** Minnie Criado
- **Phone:** 398-0939
- **Fax:**
- **Email Address:** minniecriado@yahoo.com
- **Mailing Address:**
  - **4371 Harvest Lane, City, Houston, State, TX, Zip:** 77004
  - **Property Owner:** Joseph Theodore Goetics
  - **Phone:**
  - **Fax:**
- **Email Address (for project correspondence only):**
- **Mailing Address:**
  - **622 Angerville Rd, City, Harlingen, State, TX, Zip:** 78552

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

<table>
<thead>
<tr>
<th>Process</th>
<th>Fee</th>
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<tr>
<td>0 Annexation Request</td>
<td>No Fee</td>
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<tr>
<td>0 Administrative Appeal (ZBA)</td>
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<tr>
<td>0 Comp. Plan Amendment Request</td>
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<td>0 Re-zoning Request</td>
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<tr>
<td>0 SUP Request/Renewal</td>
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<tr>
<td>0 Zoning Variance Request (ZBA)</td>
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<td>0 FPD Request</td>
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<td>0 Vacating Plat</td>
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<td>0 Development Plat</td>
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<tr>
<td>0 Subdivision Variance Request</td>
<td>$25.00 (each)</td>
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### Please provide a basic description of the proposed project:

- **Reason for Commercial for future retail development**

---

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

---

**Applicant's Signature:** [Signature]

**Date:** 5-27-2018

**Property Owner(s) Signature:** [Signature]

**Date:** 5-27-2018

**Accepted by:** [Signature]

**Date:** 10-31-19

---

**Note:** The dates 10.31.19 and 10.21.19 are marked on the document.
Request to rezone from Not Designated (N) District to General Retail (GR) District for 9.778 acres out of Lot 13 and 14, Block 133, San Benito Land and Water Company Subdivision, located at the southwest corner of FM 509 and East Treasure Hills Boulevard.

Applicant: Minnie Criado

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 11.25.19
Future Land Use Map

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

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ORDINANCE NO. 20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONE FROM NOT DESIGNATED (N) DISTRICT TO GENERAL RETAIL (GR) DISTRICT FOR 9.778 ACRES OUT OF LOT 13 AND 14, BLOCK 133, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED AT THE SOUTHWEST CORNER OF FM 509 AND EAST TREASURE HILLS BOULEVARD; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Rezone from Not Designated (N) District to General Retail (GR) District for 9.778 acres out of Lot 13 and 14, Block 133, San Benito Land and Water Company Subdivision, located at the southwest corner of FM 509 and East Treasure Hills Boulevard.

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

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

FINALLY ENACTED this ______ day of ____________, 2020 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

_____________________________
Chris Boswell, Mayor

ATTEST:

_____________________________
Amanda C. Elizondo, City Secretary
Request to rezone from Not Designated (N) District to General Retail (GR) District for 9.778 acres out of Lot 13 and 14, Block 133, San Benito Land and Water Company Subdivision, located at the southwest corner of FM 509 and East Treasure Hills Boulevard. Applicant: Minnie Criado

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AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: January 15, 2020

Agenda Item:
Public hearing and take action to consider an Ordinance on First Reading for a Special Use Permit (SUP) to allow a foster care residential facility in a Light Industry (LI) District located at 2032 N. 77 Sunshine Strip, bearing a legal description of Lots 14 & 15, Block 2, EB Adams Subdivision. Applicant: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc.

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

Brief Summary:

Project Timeline

- **November 18, 2019** – Application for Special Use Permit (SUP) was submitted to the Planning Department. (ATTACHMENT I)
- **December 12, 2019** – In accordance with State Statute and local law, notice of the required public hearings was published in the Valley Morning Star and mailed to all property owners within 200 feet of the subject tract.
- **January 8, 2019** – Public hearing was conducted by the Planning and Zoning Commission (P&Z). The P&Z Commission recommended approval of the request by a 4 to 0 vote.
- **January 15, 2020** – Public hearing and consideration of requested Special Use Permit (SUP) via 1st ordinance reading scheduled before the City Commission.
- **February 5, 2020** – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances, a living facility, such as a group home use, in a Light Industry (LI) District requires the approval of an SUP by the City Commission.

- Hands of Healing Residential Treatment Center is requesting a SUP to allow the current use and the expansion of an existing 24-hour residential facility that provides education, individual and group counseling, recreation, behavior management, and therapeutic services for youth in the community in accordance with the Texas Department of Family and Protective Services (DFPS) standards.

- Based on the information provided, Hands of Healing Residential Treatment Center is an established agency that provides highly-structured and specialized services in a home-like atmosphere for 30 youth ranging from 8-17 years of age. (ATTACHMENT II)

- The proposed facility, Building B, is located within a 2.6 acre tract with eight bedrooms, 7 restrooms, laundry facilities, and with living, dining and study areas. Building A is currently operating as offices for Hands of Healing foster care program only.
Adjacent zoning is Light Industry (LI) District to the east, south and west, and Multifamily Residential (M2) District to the north. Surrounding land uses are apartments, an auto body and repair shop, tile contracting, and upholstery services. (ATTACHMENT IV-V)

The City of Harlingen Building Inspections, Health, and Fire Prevention Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department. (ATTACHMENT VI-VIII)

Based on the site plan provided, 15 parking spaces are required and provided on site. The applicant must also obtain and maintain the proper State permits.

The Planning and Development Department has not received any opposition to the SUP request.

In accordance with the zoning ordinance, the Planning and Zoning Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

---

**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 SUP request with the following conditions:

1. Obtaining and maintaining the proper State and City permits; and
2. Complying with the requirements administered by Planning and Development, Building Inspections, Environmental Health, and Fire Prevention Departments.

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

**Comments:**

- City Attorney's approval: [ ] Yes [ ] No [ ] N/A
CITY OF HARLINGEN PLANNING AND ZONING DIVISION
MASTER APPLICATION
PROPERTY INFORMATION (Please PRINT or TYPE)
Project Address: 2032 N. 77 Sunshine Strip/N. K. Street
(Proposed) Subdivision Name: E. Adams Subdivision
Existing Zoning Designation: LA
Future Land Use Plan Designation: "24-hour shelter care"

OWNER/APPLICANT INFORMATION (Please PRINT or TYPE)
Applicant/Authorized Agent: Garry Curry
Email Address: gcorry@issley.org
Phone: 956-374-0411
Fax: 956-374-0411

Making Address: P.O. Box 4047
Harlingen, TX 78550
Phone: 956-374-0411
Fax: 956-374-0411

Email Address: gcorry@issley.org

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

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Please provide a basic description of the proposed project: 24-hour residential facility providing highly structured and specialized services in a home-like atmosphere for youth ranging from 14-17 years of age. Facility will be licensed and regulated by DFPS.

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: G. Curry
Date: 11/14/19

Property Owner(s) Signature: L.J. Coit
Date: 11/15/19

Accepted by:
Date:

Scanned with CamScanner
SPECIFIC USE PERMIT REQUEST

2032 N 77 Sunshine Strip, Building B

PROPOSED USE

Hands of Healing Residential Treatment Center, Inc. (HOH) proposes to use the approximate 6,000 square foot, one-story facility as a State licensed, 24-hour residential program designed to provide highly structured and specialized services in a home-like atmosphere for 30 youth ranging in age from 8-17 years. Services provided will include education, individual and group counseling, recreation, behavior management, life skills, family involvement and therapeutic services for youth with emotional disturbances and challenges. Oversight of the program will be provided by a team of experienced, licensed administrators. The provision of program services will be in accordance with the Department of Family and Protective Services (DFPS) state licensing standards. Program services will be provided by qualified, experienced, and trained staff able to meet the various and unique needs of the resident population.

Hands of Healing is an established agency responsible for accomplishing the proposed project in compliance with child welfare standards. HOH has established ongoing collaborative relationships with stakeholders to include TDPS field staff, Case Coordinators, and community based providers.

The facility situated on 2.6 acres has eight bedrooms, 5 resident restrooms, 2 staff restrooms, laundry facilities, and spacious living, dining and study areas. The property is fully fenced with plenty of outside space for recreational activities.
Request for a Specific Use Permit (SUP) to allow a foster care residential facility in a Light Industry (LI) District located at 2032 N. 77 Sunshine Strip, bearing a legal description of Lots 14 & 15, Block 2, EB Adams Subdivision. Applicant: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc.
ATTACHMENT V

Google Earth

[Map showing locations: Apartments, Auto Body Repair, Truck Repair, Tile & Marble, Upholstery, Site Location, Vacant, Building A, Building B, Proposed Site]
Specific Use Permit ("SUP") Routing Slip

Applicant: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc.
Phone No.: (956) 376-0411
Location: 2032 N. 77 Sunshine Strip
Project Description: Request for a Specific Use Permit (SUP) to allow a foster care residential facility in a Light Industry (LI) District located at 2032 N. 77 Sunshine Strip, bearing a legal description of Lots 14 & 15, Block @, EB Adams Subdivision. Applicant: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc.

Department: Building Inspections Department

Approval: X YES    ___ NO

Comments: 1. Construction documents prepared by a Texas Licensed Architect for the "Change in Use" will be required to be submitted for review prior to issuance of permits. 2. Required to apply for any and all applicable permits. (Re-occupancy, Building, Electrical, Plumbing, & Mechanical). 3. Must comply with all applicable city ordinances, codes and standards by means of field inspections before a final Certificate of Occupancy is issued.

[Signature]  12/11/19
Signature    Date
ATTACHMENT VII

SPECIFIC USE PERMIT ("SUP") ROUTING SLIP

APPLICANT: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc.

PHONE NO.: 956-376-0411

LOCATION: 2032 N 77 Sunshine Strip

PROJECT DESCRIPTION: Request for a Specific Use Permit (SUP) to allow a foster care residential facility in a Light Industry (LI) District located at 2032 N. 77 Sunshine Strip, bearing a legal description of Lots 14 & 15, Block 2, EB Adams Subdivision. Applicant: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc.

DEPARTMENT: Health

APPROVAL:

☐ YES ☐ NO

COMMENTS:

1. On the Floor Plan provided here are no indications of the following:
   1. Hot Water heater
   2. Fire Sprinkler
   3. Kitchen Equipment
   4. Handwash Station
   5. 3-Compartment Sink
   6. Grease Trap System

2. Facility will require Food Manager and Food Handler Certification for Staff.

3. Will home cooked meals be cooked at this facility or will there be catering involved?

4. Hands of Healing Residential Treatment Center may need a grease trap or grease interceptor and may need to contact Building Dept. or Harlingen Water Works Dept.

5. Load is required items for Final Inspection for Health Department approval.

Signature: [Signature]

Date: 12-11-19
Specific Use Permit ("SUP") Routing Slip

Applicant: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc.

Phone No.: (956) 376-0411

Location: 2032 N 77 Sunshine Strip

Project Description: Request for a Specific Use Permit (SUP) to allow a foster care residential facility in a Light Industry (LI) District located at 2032 N 77 Sunshine Strip, bearing a legal description of Lots 14 & 15, Block 2, EB Adams Subdivision. Applicant: Gayle Curry on behalf of Hands of Healing Residential Treatment Center, Inc.

Department: Fire Prevention Bureau

Approval: _X_ YES __ NO

Comments: Applicant will have to meet any codes, regulations, ordinances, and standards required for permit.

Fire Marshal Juan Sauceda Jr.

Date: December 10, 2019
ORDINANCE NO. 20-____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT TO HANDS OF HEALING RESIDENTIAL TREATMENT CENTER, INC. ALLOW A FOSTER CARE RESIDENTIAL FACILITY IN A LIGHT INDUSTRY (LI) DISTRICT LOCATED AT 2032 N. 77 SUNSHINE STRIP, BEARING A LEGAL DESCRIPTION OF LOTS 14 & 15, BLOCK 2, EB ADAMS SUBDIVISION, SUBJECT TO: (1) OBTAIN AND MAINTAIN PROPER STATE PERMITS; (2) COMPLIANCE WITH THE REQUIREMENTS ADMINISTERED BY THE PLANNING & DEVELOPMENT BUILDING INSPECTIONS, ENVIRONMENTAL HEALTH, AND FIRE PREVENTION DEPARTMENTS PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN
That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being issued a specific use permit as indicated:

To issue a Special Use Permit to Hands of Healing Residential Treatment Center, Inc. allow a Foster Care Residential Facility in a Light Industry (LI) District located at 2032 N. 77 Sunshine Strip, bearing a legal description of Lots 14 & 15, Block 2, EB Adams Subdivision, subject to: (1) Obtain and maintain proper state permits; (2) Compliance with the requirements administered by the Planning & Development, Building Inspections, Environmental Health, and Fire Prevention Departments prior to the issuance of Certificate of Occupancy.

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

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

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

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

CITY OF HARLINGEN

Chris Boswell, Mayor

ATTEST:

Amanda C. Elizondo, City Secretary
AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: January 15, 2019

Agenda Item:
Consideration to amend the contract with Texas Department of State Health Services HHS000371500005 to add $135,123.00. The additional funds are for the Novel Vector control project which will receive $100,000.00 and Traditional Vector Control will receive $35,123.00.

Prepared By: Josh Ramirez, MPA, CPM
Title: Environmental Health Director
Signature: [Signature]

Brief Summary:
City of Harlingen Environmental Health Department is requesting to amend the contract with Texas Department of State Health Services to add $135,123.00. Novel Vector control project will receive $100,000.00 and Traditional Vector Control will receive $35,123.00. This additional funding will provide additional equipment, supplies and temporary staff to continue mosquito surveillance.

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: Texas Department of State Health Services $135,123.00. Staff is currently providing these services.
Finance Director's approval: Yes No N/A

Staff Recommendation:
Staff recommends approval of the Office of Border Public Health Mosquito Surveillance Mini Grant.

City Manager's approval: Yes No N/A

Comments:

City Attorney's approval: Yes No N/A
1/3/2020

form revised 01/26/09
The Department of State Health Services ("DSHS"), a pass-through entity, and City of Harlingen ("Grantee"), collectively referred to in this amendment as the "Parties," to that certain grant contract effective February 8, 2019, and denominated DSHS Contract No. HHS000371500005, now desire to amend the Contract.

Whereas, the Parties want to extend this Contract in accordance with the Vector-Borne Project No Cost Extension granted by the U.S. Department of Health and Human Services, on or about April 1, 2019; and

Whereas, the Parties desire to revise the Budget to add funds to the Contract.

The Parties therefore agree as follows:

1. The Contract is hereby amended to reflect a revised termination date of December 31, 2020. Grantee must, however, complete all work for objective 1 (Foodborne, Waterborne, & Environmental Disease), identified in Attachment A, Statement of Work, by June 30, 2020. Grantee shall not work on objective 1 after June 30, 2020, and will not be reimbursed for any work performed on such objectives following that date.

2. The Contract is hereby amended to add $135,123.00. The revised total not to exceed amount of this Contract is $484,161.00.

3. Attachment B – Budget, and Attachment B-1 – Individual Project Budget(s), of the Contract are hereby amended and replaced in their entirety with Attachment B – Revised Budget and Attachment B-1 – Revised Individual Project Budget(s).

4. This Amendment shall be effective as of the date last signed below.

5. Except as modified by this Amendment, all terms and conditions of the Contract shall remain in effect.

6. Any further revisions to the Contract shall be by written agreement of the Parties.

SIGNATURE PAGE FOLLOWS
SIGNATURE PAGE FOR AMENDMENT NO. 01  
DSHS CONTRACT NO. HHS000371500005

DSHS

__________________________________________  By: _____________________________
Imelda Garcia
Associate Commissioner
Date of Execution: ________________

GRANTEE

_______________________________  Name: _____________________________

_______________________________  Title: _____________________________

Date of Execution: ________________

ARTICLE 1. THE FOLLOWING ATTACHMENTS ARE ATTACHED AND INCORPORATED AS PART OF THE CONTRACT:

ATTACHMENT B  REVISED BUDGET
ATTACHMENT B-1  REVISED INDIVIDUAL PROJECT BUDGET(S)
# ATTACHMENT B
## REVISED BUDGET
Contract No. HHS000371500005

Categorical Budget:

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Attachment B-1 Revised Individual Project Budget(s)

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**Subject:** Amending $484,161; HHS000371500005; City of Harlingen A-1; CMS/COAG-LHD

**Source Envelope:**
- **Document Pages:** 13
- **Certificate Pages:** 2
- **AutoNav:** Enabled
- **Envelope Stamping:** Enabled
- **Time Zone:** (UTC-06:00) Central Time (US & Canada)

**Record Tracking**

**Status:** Original  
1/7/2020 8:46:46 AM  
**Holder:** Texas Health and Human Services Commission

**Location:** DocuSign

**Record Tracking**

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Not Offered via DocuSign

| Imelda Garcia          |           |               |
| imeldam.garcia@dshs.texas.gov |       |               |

**Electronic Record and Signature Disclosure:**  
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<td>Timestamps</td>
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<td>1/7/2020 8:52:00 AM</td>
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