

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

September 2, 2026

A Regular Meeting of the Harlingen City Commission was held September 2, 2026, at 5:33 pm, at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas and providing the public the ability to view the meeting via internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.harlingentx.gov Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda

Delia Cavazos-Gamez, Commissioner District 1

Mayor Pro-Tem Daniel N. Lopez, District 2

Michael Mezmar, Commissioner District 3

Frank Morales, Commissioner District 4

Rene Perez, Commissioner District 5

City Staff

Gabriel Gonzalez, City Manager

Mayra Herrera, City Secretary

Mark Sossi, City Attorney

1. **Call Meeting to Order**

- a) Invocation – Commissioner Frank Morales
- b) Pledge of Allegiance – Mayor Sepulveda
- c) Welcome Citizens – Mayor Sepulveda

2. **Conflict of Interest**

"Under State Law, a conflict of interest exists if a council member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at this time?"

Mark Sossi, read the conflict of Interest and asked the Mayor and City Commissioners if they had a conflict on any item on the agenda.

- Commissioner Perez, 7(a), 10(j)

3. **Announcements –**

- a) Mayor's Announcements – Coffee with the Mayor invite for all citizens, September 10, 2026
- b) City Manager's Announcements- Labor Day None-Emergency office closure; Market Days; unveiling of Gloria Canales Auditorium sign; 911 Memorial Ceremony at the airport; Jitter Run-Harlingen sports complex.
- c) City Commission Member Announcements –
 - Commissioner Cavazos-Gamez- Ride Along with Officer Benitez & K9 officers;
 - Mayor Pro-Tem Lopez- Data Center agenda item; "office hours" Tent set up at Market Days;
 - Commissioner Morales-Annual Garage Sale-Immaculate Heart of Mary Church;
 - Commissioner Perez-Community Clean-up Mall Parking Lot-Saturday.

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

- a. Harlingen Animal Shelter "Pet of the Week" – "Gracie"- 2-year-old Female Husky. Presented by Health Dept. Manager, Crystal Ortiz. She invited all the residents of Harlingen to visit the Harlingen Animal Shelter located at 1106 Markowsky.

5. **Citizen Communication:**

1. Jeremiah Davila-Thank Commission for assistance with porta-potties-Victor Park
2. Sandra Gonzalez-Gomez -Part 4 Open record violations & complaints
3. Raymond Reyes-Facts Vs Fiction
4. Elizabeth Reagan-Data Centers-Not Present
5. Dawn R. Sealy-Leonard-Fluidstack/Drainage Ditch
6. Albert Garcia-Water infrastructure approval/Data Centers
7. Luis Valdespino- Agenda items 12(c),12(d), 13(c),13(d)
8. Angela Valdespino- Agenda items 12(c),12(d), 13(c),13(d)
9. Jeff Mayor-Data Centers/agenda items 10(f) & 10(i)
10. Maricela Alvarado-Data Centers
11. Ron Lozano-Citizen Communication honesty

6. **Approval of Minutes:**

- a) Regular Meeting of July 15, 2026

Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Lopez to approve minutes for Regular Meeting of July 15,2026. Motion Carried unanimously.

7. **Consent Agenda:**

- a) Consideration and possible action to donate 56 pieces of bunker gear and additional PPE to the HCISD Fire Academy. **(Fire)**
- b) Consideration and possible action to approve an ordinance on second and final reading for a rezoning request from Not Designated ("N") District to Residential, Multi-Family ("M2") District for 1.121 acres of land out of Block 24, F.Z. Bishop Subdivision of the Rice and Taylor Lands, located south of New Hampshire Street, approximately 1,410 feet north of South Expressway 83. Applicant: S2 Engineering, PLLC c/o Raffa Construction. **(Planning & Development)**.

ORDINANCE NO. 26-40
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF HARLINGEN: REZONING FROM NOT
DESIGNATED ("N") DISTRICT TO RESIDENTIAL, MULTI-FAMILY
("M-2") DISTRICT FOR LOT 1.121 ACRES OF LAND OUT OF
BLOCK 24, F.Z. BISHOP SUBDIVISION OF THE RICE AND
TAYLOR LANDS, LOCATED SOUTH OF NEW HAMPSHIRE
STREET, APPROXIMATELY 1,410 FEET NORTH OF SOUTH
EXPRESSWAY 83.

PASSED AND APPROVED on first reading this the 19th day of August 2026.
PASSED AND APPROVED on the second and final reading this the 2nd day of September
2026.

ATTEST:
Mayra Herrera City Secretary

CITY OF HARLINGEN
Norma Sepulveda, Mayor

- c) Consideration and possible action to authorize the City Manager to execute a Memorandum of Understanding (MOU) between the City of Harlingen and the City of Brownsville for participation in the FY 2025 FEMA Assistance to Firefighters Grant (AFG) Regional Project. **(Special Projects Department)**.
- d) Consideration and possible action to approve a resolution approving the purchase of Lot 9, Block 61, Original Townsite of the City of Harlingen and authorizing the City Manager to execute any and all documents necessary. **(City Manager)**

1 Motion was made by Mayor Pro-Tem Lopez seconded by Commissioner Cavazos-Gamez to
2 approve the items of 7b-d. Motion carried unanimously.
3

4 Motion was made by Mayor Pro-Tem Lopez seconded by Commissioner Cavazos-Gamez to
5 approve the item 7a. Motion carried as follows: FOR: Mayor Pro-Tem Lopez, Commissioners Cavazos-
6 Gamez, Morales, Mezmar; ABSTAINED: Commissioner Perez Vote (4-1).
7

8 Mayor Sepulveda moved the items around and jumped to items 12c and 12d and asked for a motion
9 to go into executive session.
10

11 **Executive Session:**

12
13 12c. Pursuant to Texas Government Code Section 551.071, Consultation with Attorney, regarding the
14 city's ability to require City Commission approval and public notice prior to authorizing connections
15 to drains in ETJ for stormwater which were formally approved administratively. (City Attorney).
16

17 12d. Pursuant to Texas Government Code Section 551.071, Consultation with Attorney, regarding
18 possible terms and conditions of stormwater connection agreement. (City Attorney).
19

20 Motion made by Commissioner Mezmar and second by Commissioner Cavazos-Gamez to enter
21 executive session to discuss these items. Time, we entered executive session is 6:18pm.
22

23 **Action on Executive Session Items:**

24 At 6:45pm Mayor Sepulveda announced the City Commission had completed its Executive Session
25 and declared the meeting open to the public.
26

27 13c. Consideration and possible action to adopt a resolution requiring city commission approval for
28 stormwater drainage connections originating outside city limits to be approved by the Harlingen
29 City Commission
30

31 Mayor Sepulveda asked City Attorney, Mark Sossi, to give a brief explanation on what this item
32 entails.
33

34 Mr. Sossi stated that the storm water connections in the ETJ which were outside the city limits are
35 simply approved administratively. They do not come before City Commission for approval, but the
36 resolution would be to require that if somebody wants to connect to a storm water drainage connection
37 outside the city limits and that property would be more than an acre so it would have to come to the city
38 commission and the city commission would have to approve an agreement if it would be allowed to
39 connect.
40

41 Motion was made by Mayor Pro-Tem Lopez, second by Commissioner Perez to proceed as
42 discussed in executive session for item 13c. Motion carried as follows: FOR: Mayor Pro-Tem Lopez,
43 Commissioners Cavazos-Gamez, Mezmar, Perez; Opposed: Commissioner Morales. Vote (4-1)
44

45 Mayor Sepulveda stated that just to kind of give a little bit more of an explanation on what is going
46 on. At the moment there was a request to connect to one of our ditches in an ETJ, which normally when
47 a request is submitted it does not go through the City Commission for approval and that is why we are
48 here for the next item. In the past and in most municipalities the approvals for connections on an ETJ
49 is done administratively through our Engineering department. As long as the request meets all the
50 requirements it gets approved. So, what this resolution is doing is giving the Commission oversight to
51 say lets pump the brakes and let it come before the commission to be able to discuss and find out what
52 is happening. Just for everyone's knowledge this resolution is not only for data centers it is for any kind
53 of industry that is going to want to connect to a city-owned ditch. Now there is a process moving forward
54 when there wasn't one.
55

1 Commissioner Perez stated that since the public wanted transparency we are giving everyone
2 transparency. Prior to this, something like this connection could have just been connected and either
3 you all or us wouldn't have known about it because it gets done at a lower level. But because of the
4 resolution, now we all will know who is going to want to connect to our drainage and you all will be able
5 to speak on the public comments about it.

6
7 13d. Consideration and possible action to approve a possible stormwater discharge agreement with
8 Fluidstack authorizing the discharge of stormwater into a drainage ditch owned by the City of
9 Harlingen and located within the city ETJ.

10
11 Roberto Hernandez, City Engineer,
12 presented the proposed drainage discharge for the approximately 600-acre development site, which
13 currently drains toward the Airport Lateral Ditch. The proposed development includes approximately
14 100 acres dedicated to detention ponds to meet the City's drainage detention requirements. These
15 ponds are designed to detain runoff from a 50-year storm event and limit discharge to rates consistent
16 with pre-development conditions during a 10-year storm event.

17
18 Under existing conditions, the site generates approximately 789 cubic feet per second (CFS) of
19 runoff during a 10-year storm event. Following development, the proposed detention system would
20 reduce the discharge rate to approximately 175 CFS. The City Engineer reviewed the drainage report
21 and confirmed that it includes a no-adverse-impact analysis intended to ensure the development does
22 not increase flooding risks for upstream or downstream properties.

23
24 In addition to the on-site detention improvements, the developer proposes off-site drainage
25 improvements, including widening the Airport Lateral Ditch to increase its capacity from approximately
26 1,344 CFS to 4,250 CFS. The developer also proposes upgrading the drainage crossings at FM 106
27 and FM 509 from three 10-foot-by-10-foot box culverts to five 10-foot-by-10-foot box culverts to improve
28 drainage conveyance.

29
30 Mayor Sepulveda asked if the resolution wouldn't have passed, then fluidstack would have passed
31 the requirements set by the engineering department and it would have been approved administratively.

32
33 Mr. Hernandez replied with a yes that is correct as long as they comply with the engineering
34 requirements or drainage policies.

35
36 Commissioner Mezmar asked if at the moment it is farmland, and if it drains to this canal and the
37 proposed project would also drain into this canal and they are planning to make 100 acres of detention
38 ponds. He also asked if the facility was going to discharge any water from their facility ever to the
39 drainage canal.

40
41 Mr. Hernandez replied with a yes that is correct and only storm water or runoff would be allowed to
42 drain anything else wouldn't.

43
44 A further discussion was held on the improvements being proposed and how it benefits the airport
45 and the surrounding areas, the widening of the coverts and pipes together with the size of them
46 compared to the size they are now.

47
48 Commissioner Morales stated that Mr. Hernandez talked about a 50-year storm while I was under
49 the impression it was 100-year storm because that was what I had heard this morning.

50
51 Mr. Hernandez replied that it contains a lot more than that, but when I am looking at the analysis
52 between how much water is going to be released, pre-existing and proposed, that is what sets the limit.
53 For the detention purposes, they could detain almost a 500yer storm event. They can be their own
54 island and still be ok in terms of a March event came in. They would have enough detention on site to
55 cover all of that before it touches the ditch system.

1 Commissioner Morales asked if the ditch belonged to the city.

2
3 Mr. Hernandez replied with a yes.

4
5 Commissioner Morales stated he disagreed and that we need to verify because we went through
6 enough material having a good old target on our back by the FAA for stuff we did because we lacked
7 accountability. I do not want that to happen again and that's what people don't seem to understand,
8 referring to the Commission on the dais. So that is my biggest gripe right now, we can take care of that
9 and then go to the next barrier or the next obstacle and that's why I will vote against it.

10
11 Mr. Hernandez replied that the registered surveyor did provide all the conveyance from 1941 to
12 now. This used to be Military Base and then it was transferred to the city and right now it drains
13 farmland. This is not owned by FAA, and it is owned by the City of Harlingen. It is maintained by us,
14 and any improvements will be made by us. We were wanting to improve this system by widening the
15 ditch but that would be on a future date.

16
17 Commissioner Morales stated that he is under the impression that the FAA and the airport funding
18 and its fully funded. We want to keep on trying to say we own it and we're going to do that, then go for
19 it. I already said my peace and it's on you and the surveyors.

20
21 Mayor Sepulveda stated that it's her understanding that the city owns the ditch and asked City
22 Attorney if it was correct.

23
24 Mr. Sossi replied with a yes.

25
26 Mayor Sepulveda followed up with several questions: In March 2025 we got hit with 20 to 24 inches of
27 rain. Which everybody that lives in the city knows how devastating that was not just for the airport but for
28 the entire city. Say all this was already in place, to the best of your knowledge can you explain or predict
29 what would have happened had that been the situation just so that I can have an understanding.

30
31 A short discussion was held in reference to CSC, the cost of drainage improvements made to the
32 City. The master drainage plan is currently under final acceptance by the Texas Water Development
33 Board.

34
35 Commissioner Cavazos-Gamez asked if the ditch stands or starts at the airport and correct me if I
36 am wrong, there is a total amount of capacity that could go into that ditch, and will this facility be told
37 not to flow out if we're at capacity during a storm.

38
39 Mr. Hernandez replied that there is a smaller segment that discharges on some of the residential
40 areas west of the city. The main ditch outfalls starts on this corner above the Harlingen Aereo
41 Properties. As for if we would get another storm like we did in March 2025, all that extra runoff would
42 still be within their site before it touches the ditch, only pre-existing volumes would be going in. So, they
43 won't have any output. They would have only the pre-existing output of about 175 cubic feet.

44
45 Commissioner Cavazos-Gamez asked that farmland is permeable, concrete is not and how is that
46 negotiated.

47
48 Mr. Hernandez replied that it's based on different type of improvements generating different flow
49 rates. So, for concrete there is different values that are inputted in the analysis prepared on the drainage
50 report and those values are presented and I reviewed it and are concurred. That essentially gives you
51 what volume or the number you need to mitigate in terms of drainage.

52
53 Commissioner Cavazos-Gamez asked what the walls of the airport ditch were made of?

54
55 Mr. Hernandez replied that they are made out of dirt and in an event of a big storm like the one we
56 saw in March 2025 and if it would overflow, we could be in quite some trouble. But now as part of the

1 development, they're putting all those 100 acres in terms of detention to accommodate up to the 5,000-
2 year storm.

3
4 Commissioner Cavazos-Gamez asked if each detention pond is 100 acres each or are they adding
5 up to the 100 acres together.

6
7 Mr. Hernandez replied that all 4 detention ponds will equal the 100 acres.

8
9 Mayor Sepulveda introduced a representative from Fluidstack, Kate Franco.

10
11 Kate Franco, Public Affairs representative for Fluid Stack, thanked the Mayor, City Commissioners,
12 and attendees for their time and interest in the proposed data center project in Cameron County. She
13 clarified that the proposed drainage improvements would triple the existing ditch's water-holding
14 capacity. She explained that the on-site detention ponds would temporarily retain stormwater during
15 major rainfall events and allow for a controlled, gradual release into the expanded ditch to reduce the
16 risk of overflow. According to Ms. Franco, the detention ponds are designed to accommodate a 500-
17 year storm event, and the project's stormwater discharge would be limited to a maximum of
18 approximately 175 cubic feet per second (CFS), compared to the estimated existing uncontrolled
19 discharge of 788–789 CFS. She emphasized that the combination of increased ditch capacity and
20 controlled water release would significantly reduce the likelihood of flooding caused by runoff from the
21 project property. Ms. Franco acknowledged that the area is susceptible to flooding and noted that
22 multiple properties discharge water into the ditch. She concluded by offering further clarification to
23 address the commissioners' concerns.

24
25 Commissioner Mezmar asked if the widening of the ditch was going to be paid by Fluidstack.

26
27 Ms. Franco replied with a yes and that they would be paying to make both the onsite and offsite
28 improvements needed to the ditch as part of us being a good neighbor and partner and doing what
29 needs to be done.

30
31 Mayor Sepulveda has several questions for Ms. Franco. First, do you know what the dollar amount
32 is for those improvements that you all would make? Second, have you and I sat down together to chat
33 about this? Third, we have never signed any NDA's correct?

34
35 Ms. Franco replied that the amount for the improvements would be about 7 million dollars and they
36 are happy to be taken onboard as a drainage partner. Also, Mayor Sepulveda and I have never chatted
37 before or met, however, you had met with one of my colleagues a few months ago and have never had
38 anyone sign any NDA's because there is nothing happening behind closed doors.

39
40 Mayor Sepulveda stated that for the community awareness, them two have never chatted but you
41 offered to speak with the Commission and you had an opportunity to sit down with a few commissioners.

42
43 Ms. Franco stated that they had been trying to get a final approval because it was an administrative
44 process until tonight for about a month ago. So, we have been working with the City Engineer and the
45 County Engineer on the plan improvements and understanding that they are needed because that was
46 the process.

47
48 Mayor Sepulveda replied that to make sure the community if aware because the City of Harlingen
49 and the Commission did not have a lot of information regarding you all wanting to connect to the ditch
50 until there was already equipment and stuff out there on your site. There was a concern with the
51 community saying why are they here and why we are just finding out. Even though months ago there
52 was a discussion regarding potential opportunities in Cameron County for all Cameron County to know
53 that there was a potential Fluidstack coming to the area. The first communication you had was with City
54 Engineer because it was an administrative process correct.

1 Ms. Franco replied that they were under the impression that they only needed to administrative
2 approval for the ditch.
3

4 Mayor Sepulveda asked if they are willing to provide a Town Hall meeting for all City of Harlingen
5 residents to be able to ask questions.
6

7 Ms. Franco replied that they were planning to host an open house for the community members
8 across Cameron County to come out and ask individual questions. Fluidstack representatives would
9 be out there including myself and some of my teammates who are involved in both the construction
10 and the operations of our data centers. And we would also bring in some of our civil engineering firms
11 to ask or talk about water and energy usage, community benefit taxes, site layouts and site planning.
12 Noise mitigations are another one we heard a lot about. If the City of Harlingen is willing to partner with
13 us on the drainage usage Fluidstack is committing \$20 million dollars for the city's infrastructure
14 improvements.
15

16 Mayor Sepulveda asked if the \$20 million dollars would be for drainage infrastructure and streets?
17 Also can you please give us a 2-3-minute presentation on what kind of water you will be using, how
18 are you going to cool your facility, what is it going to look like, what the footprint.
19

20 Ms. Franco replied that would be up to the city to decide on how to spend the money. She also
21 explained that Fluidstack uses a closed-loop cooling system that requires approximately 400,000
22 gallons of water to initially fill each building's cooling system, with additional water needed only for
23 maintenance or repairs. The representative stated that the facility would not require daily water
24 withdrawals for cooling. Daily water consumption during operations is estimated at approximately 7,000
25 gallons for employee kitchens and restrooms. During construction, the company requested 50,000
26 gallons per day from East Rio Hondo Water Supply to control dust and minimize impacts on neighboring
27 properties. Ms. Franco stated that the data center would purchase its own electricity through a private
28 provider and that its energy consumption would not directly affect other customers' electricity usage.
29 Fluidstack has reportedly paid for new transmission lines and will cover the cost of its substation and
30 any necessary upgrades to the local substation. To address concerns about noise, Fluidstack has
31 voluntarily committed to a maximum noise level of 60 decibels at the property line. The representative
32 stated that noise levels would decrease with distance and offered to bring noise meters to a future open
33 house to demonstrate the sound levels inside and outside the facility. Ms. Franco stated that the facility
34 would not include large-scale battery storage or chemical storage and emphasized that it would not
35 operate as a manufacturing facility involving large quantities of hazardous chemicals. The
36 representative maintained that the data center would not cause adverse impacts to the soil, air, or
37 water. Ms. Franco stated that Fluidstack would pay the full property taxes on the property and confirmed
38 that the company had not received or taken any local property tax incentives. The representative also
39 indicated that the company was working with its partners to ensure the development benefits the
40 community.
41

42 Commissioner Perez wants to commend Ms. Franco for being here at the meeting and giving an
43 explanation of what Fluidstack is wanting to do. The \$20 million dollars could do a lot for our community
44 for instance it would help with streets and a lot with drainage projects. But the way I see it is that I have
45 talked a lot to everyone and nobody is wanting a data center here and even though we oppose to it
46 tonight, you all are still going to build it no matter what. Saying yes for me tonight is like selling my soul
47 and as long as I am here in District 5 my answer will always be a no. So, I will be voting no tonight.
48

49 Commissioner Morales stated that when he met with Ms. Franco in the morning, she told him she
50 had met with Mr. Gonzalez and Mayor back in May of 2026. But I am hearing you just met with Mr.
51 Gonzalez last week. I am confused on this.
52

53 Commissioner Perez stated that meeting after meeting there are always allegations and staff being
54 thrown under the bus by Commissioner Morales.
55

Mayor Sepulveda asked for the Commission to please respect the time of everyone here at the meeting and for there to be respect between each other. I want to let Ms. Franco know that I appreciate the willingness to be here today and to want to speak with the community. Also, I appreciate the willingness of wanting to provide a town hall, but here in Harlingen the community like the town halls to be made before there is a decision to be made not after. For that reason, my position is I feel that we were given some information kind of at the last minute and we as a commission we like to see the pros and cons. I understand there are about 600 data centers wanting to make their way into the state and to our communities' one way or another. It's my understanding that you have alternate methods that if this commission says no that it doesn't mean you are going to stop. That means you are going to find another way to check mark for drainage and your project moves forward because you are not within the city. We don't have the authority to tell you no and I fully understand that. I want to give you the opportunity to talk to the community and answer questions and for the commission to fully understand the situation. Within these last few days, we were told there is potential for \$20 million of investment. I appreciate that and I think the community needs to understand that and I would like for staff to tell us what that would look like if there is some improvements. I am going to move to table this item to provide you the opportunity to speak with the community to host a town hall and bring your people to talk to them.

Motion made by Mayor Sepulveda to table the item conditioned upon Fluidstack providing a townhall to after 6:00pm to allow citizens to attend and seconded by Commissioner Perez. Motion carried unanimously.

Mayor Sepulveda stated the Commission will be taking a five-minute break. At 8:12pm Mayor Sepulveda announced the meeting was back in session.

8. Staff Reports and Other Discussion Items:

a) City Manager's Report - None

b) Staff Reports - None

9. Public Hearings:

Mayor Sepulveda announced that Items 9 (a through c) are public hearings, and anyone wishing to speak for or against these items may do so.

- a. Public Hearing for the voluntary annexation and establishment of initial zoning as General Retail ("GR") District upon annexation for 3.597-acre tract of land, more or less, out of a called 36.66-acre tract of land, and a called 2.198-acre tract situated in Block 2, Harlingen Land and Water Company Subdivision "C", located on the south-west corner of Wilson Road and Chester Park Road. Applicant: Wilson Chester Retail Partners, Ltd. (Planning & Development)

NONE

- b. Public Hearing to authorize the closing, vacating, abandonment, and conveyance of a 0.129 of an acre (approximately 5,612 square foot) tract out of a 20-foot alley, of the Benoist Addition, and being a portion of the north 10.00 feet of Lot 7-12, located between 901 W. Harrison Avenue and 914 W. Tyler Avenue, and to authorize the City Manager to execute all documents for the conveyance and release of alley right-of-way to Frost National Bank. Applicant: Frost National Bank, c/o Ross Wood. (Planning & Development).

NONE

- c. Public hearing to amend the previously approved Special Use Permit (SUP) to allow a Community Residential Facility in a General Retail ("GR") District located on a property bearing a legal description of 6.546 acres, more or less, being a portion of a 13.674-acre tract

of land out of Block 55, David and Stephenson Subdivision, located on the north-east corner of Breedlove Street and West Loop 499. Applicant: Elisa Vasquez c/o Terry Crocker (Tropical Texas Behavioral Health). **(Planning & Development)**.
NONE

There being no comments from the public, Mayor Sepulveda closed the public Hearings.

10. Action Items
Ordinances:

- a) Consideration and possible action to approve an ordinance on second and final reading for the voluntary annexation and establishment of initial zoning as General Retail ("GR") District upon annexation for 3.597 acre tract of land, more or less, out of a called 36.66 acre tract of land, and a called 2.198 acre tract situated in Block 2, Harlingen Land and Water Company Subdivision "C", located on the south-west corner of Wilson Road and Chester Park Road. Applicant: Wilson Chester Retail Partners, Ltd. **(Planning & Development)**.

Mayor Sepulveda asked Director of Planning and Development, Ana Hernandez, if this was the one with the concern from City of Primera.

Motion was made by Commissioner Perez and seconded by Commissioner Morales to table the item to approve an ordinance on second and final reading for the voluntary annexation and establishment of initial zoning as General Retail ("GR") District upon annexation for 3.597 acre tract of land, more or less, out of a called 36.66 acre tract of land, and a called 2.198 acre tract situated in Block 2, Harlingen Land and Water Company Subdivision "C", located on the south-west corner of Wilson Road and Chester Park Road. Motion carried unanimously

- b) Consideration and possible action to approve an ordinance on first reading to authorize the closing, vacating, abandonment, and conveyance of a 0.129 of an acre (approximately 5,612 square foot) tract out of a 20-foot alley, of the Benoist Addition, and being a portion of the north 10.00 feet of Lot 7-12, located between 901 W. Harrison Avenue and 914 W. Tyler Avenue, and to authorize the City Manager to execute all documents for the conveyance and release of alley right-of-way to Frost National Bank. Applicant: Frost National Bank, c/o Ross Wood. Attachment **(Planning & Development)**.

Motion was made by Commissioner Morales and seconded by Commissioner Perez to approve an ordinance on first reading to authorize the closing, vacating, abandonment, and conveyance of a 0.129 of an acre (approximately 5,612 square foot) tract out of a 20-foot alley, of the Benoist Addition, and being a portion of the north 10.00 feet of Lot 7-12, located between 901 W. Harrison Avenue and 914 W. Tyler Avenue, and to authorize the City Manager to execute all documents for the conveyance and release of alley right-of-way to Frost National Bank. Applicant: Frost National Bank, Motion carried unanimously

- c) Consideration and possible action to approve an ordinance on first reading for a request to amend the previously approved Special Use Permit (SUP) to allow a Community Residential Facility in a General Retail ("GR") District located on a property bearing a legal description of 6.546 acres, more or less, being a portion of a 13.674-acre tract of land out of Block 55, David and Stephenson Subdivision, located on the north-east corner of Breedlove Street and West Loop 499. Applicant: Elisa Vasquez c/o Terry Crocker (Tropical Texas Behavioral Health) **(Planning & Development)**.

Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to approve an ordinance on first reading for a request to amend the previously approved Special Use Permit (SUP) to allow a Community Residential Facility in a General Retail ("GR") District located on a property bearing a legal description of 6.546 acres, more or less, being a portion of a 13.674-acre tract of land out of Block 55, David and Stephenson Subdivision, located on the north-east corner of Breedlove Street and West Loop 499 Motion carried unanimously.

- 1 d) Consideration and possible action to approve an ordinance on first reading to add a fee schedule
2 for Fire Prevention services to the existing ordinance for the buildings department permit and
3 inspection fee schedules. (Fire).
4

5 Motion was made by Commissioner Perez and seconded by Commissioner Mezmar to
6 FEES ONLY. Motion carried unanimously.
7

- 8 e) Consideration and possible action to approve an ordinance on first reading amending the City of
9 Harlingen's budget for Fiscal Year 2026. (Finance).
10

11 Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to
12 approve an ordinance on first reading amending the City of Harlingen's budget for Fiscal Year 2026.
13 Motion carried unanimously.
14

- 15 f) Consideration and possible action to approve an ordinance on second and final reading adopting
16 the water and sewer rate adjustments necessary to fund forecasted operating expenses, capital
17 assets costs, and Harlingen Waterworks System capital improvements supported by Texas Water
18 Development Board funding. (HWWS).
19

20 Motion was made by Commissioner Perez seconded by Commissioner Mezmar to approve
21 an ordinance on second and final reading adopting the water and sewer rate adjustments
22 necessary to fund forecasted operating expenses, capital assets costs, and Harlingen Waterworks
23 System capital improvements supported by Texas Water Development Board funding. Motion
24 carried as follows: FOR: Mayor Pro-Tem Lopez, Commissioner Cavazos-Gamez, Mezmar and
25 Perez; AGAINST: Commissioner Morales (Vote: 5 -1).
26

- 27 g) Consideration and possible action to approve an ordinance on first reading amending Chapter 2 of
28 the Code of Ordinances by adding Article IX. "Coordination of meetings of the City Boards and
29 Corporations." requiring the Harlingen Airport Board, the Utility Board of Trustees of the Harlingen
30 WaterWorks System, The Harlingen Economic Development Corporation, and the Harlingen
31 Community Improvement Board to adopt annual regular meetings schedules that do not conflict
32 with meeting of the City Commission or with one another. (City Manager)
33

34 Motion was made by Commissioner Cavazos-Gamez seconded by Commissioner Perez
35 to approve an ordinance on first reading amending Chapter 2 of the Code of Ordinances by adding
36 Article IX. "Coordination of meetings of the City Boards and Corporations." requiring the Harlingen
37 Airport Board, the Utility Board of Trustees of the Harlingen Waterworks System, The Harlingen
38 Economic Development Corporation, and the Harlingen Community Improvement Board to adopt
39 annual regular meetings schedules that do not conflict with meeting of the City Commission or with
40 one another. Motion carried unanimously.
41

- 42 h) Consideration and possible action to approve the Los Ranchito's Road Repairs Project utilizing the
43 Public Works Street Repairs. (Engineering).
44

45 Mayor Pro-Tem Lopez asked why the maintenance was being kept before.
46

47 City Engineer, Roberto Hernandez, advised that this was brought up due to the
48 deterioration on the road that was brought up by the sanitation team.
49

50 Mayor Pro-Tem Lopez thanked Mr. Hernandez and suggested that roads like this be
51 brought to the commission for approval in the future.
52

53 Discussion was had about what is going to be done and the time it will take.
54

55 Mr. Hernandez advised that it will be a complete rebuild.

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to approve the Los Ranchito's Road Repairs Project utilizing the Public Works Street Repairs. Motion carried unanimously.

- i) Consideration and possible action to propose a property tax rate of \$0.531060 per \$100 valuation for Tax Year 2026, take a record vote on the proposal to consider the tax increase, and schedule the required public hearing on the proposed tax rate. (Finance)

Motion was made by Commissioner Morales seconded by Commissioner Cavazos-Gamez to propose a property tax rate of \$0.531060 per \$100 valuation for Tax Year 2026, take a record vote on the proposal to consider the tax increase, and schedule the required public hearing on the proposed tax rate. Motion carried unanimously.

District 1 – Aye
District 2 – Aye
District 3 – Aye
District 4 – Aye
District 5 – Aye
Mayor – Aye

11. Board Appointments:

Comm. Morales- Re-appointed Dr. Deloria N. Davis to the Museum Advisory Board.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Lopez to approve all the re-appointments and appointments. Motion carried unanimously.

12. Executive Session:

- a) Consultation with Legal Counsel pursuant to TX Govt. Code Section 551.071 (2) regarding an update on the Collective Bargaining Agreement with the Harlingen Police Officers. (City Manager)
b) Deliberation regarding the potential purchase of real property pursuant to Texas Govt Code Section 551.072 (Asst. City Manager Dr. Josh Ramirez)

Motion was made by Commissioner Cavazos-Gamez and seconded by Mayor Pro-Tem Lopez to go into executive session. Motion carried unanimously.

At 8:30pm, Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss Items 12a-d.

13. Action on Executive Session Items:

At 9:08pm, Mayor Sepulveda announced the City Commission had completed its Executive Session and declared the meeting open to the public.

- a) Consideration and possible action on item 12(a) as discussed in executive session.

Motion was made by Mayor Pro-Tem Lopez second by Cavazos-Gamez to approve the Collective Bargaining Agreement with the Harlingen Police Officers as discussed in executive session.

- b) Consideration and possible action on item 12(b) as discussed in executive session.

Motion was made by Mayor Pro-Tem Lopez and second by Commissioner Cavazos-Gamez to approve item 12(b) as discussed in executive session.

14. **Adjournment: 10:27 P.M.**

There being no other business to discuss, Mayor Sepulveda adjourned the meeting.

City of Harlingen

ATTEST:

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary