

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JUNE 17, 2019
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, June 17, 2019 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Roberto “Bobby” Carrillo
Comm. Ramiro Caballero
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: Comm. Daniel Chavez

STAFF PRESENT: Alex Meade, City Manager
Hilda Pedraza, City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Center Director
Karla Moya, Finance Director
Anali Alanis, HR Director
Marissa Hernandez, Municipal Court Judge
Eloy Salazar, Assistant Fire Chief
Jose Luengo, Police Chief
Roland Gomez, Asst. Dev. Services Dir.
Ricardo Pedraza, Public Works Director
Sergio Alanis, Parks & Rec. Director
Adolfo Garcia, Library Director
Jose Pena, I.T. Director
Fred Brouwen, Assistant Bridge Director
Veronica Gutierrez, Purchasing
Daniel Ramirez, Communications Director

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1. CALL TO ORDER

A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER OF THE GOVERNING BODY

Mayor Pro Tem Carrillo called the meeting to order at 4:04 p.m. Roll call established a quorum.

Comm. Guajardo moved to excuse absent member. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

B) PLEDGE OF ALLEGIANCE/INVOCATION

Comm. Guajardo led in the pledge of allegiance and Pastor Magallan said the invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING DRISCOLL CHILDREN’S SUMMER DAY EVENT

Mayor Pro Tem Carrillo read proclamation proclaiming June 29, 2019 as Children’s Summer Day Event.

Delia Garza received proclamation and thanked the Commission for proclamation. She briefly stated this event was to promote health awareness.

ITEM 3. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Reuben Baryadin spoke on item 5.B.5 stating he welcomed the church provided his property not be limited to the sell of alcohol.

There being no further comments, Mayor Pro Tem Carrillo stated they would deviate from the agenda and go into closed session. There was no objection.

ITEM 9. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 4:11 p.m., Mayor Pro Tem Carrillo stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

ITEM 10. RECONVENE

The time being 4:35 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

Mayor Hernandez entered the meeting at this point of the agenda. The time being 4:35 pm.

ITEM 3. PUBLIC HEARINGS

B) SOLICITATION OF COMMENTS FROM THE GENERAL PUBLIC ON A PROPOSED SUBSTANTIAL AMENDMENT TO THE 2018 ACTION PLAN. THE CITY'S INTENT TO REALLOCATE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM PAST PROGRAM YEARS TO AMEND ACTIVITIES (GMCD)

Mayor Hernandez opened the public hearing. There being no comments, the public hearing was closed.

C) SOLICITATION OF COMMENTS FROM THE GENERAL PUBLIC ON A PROPOSED SUBSTANTIAL AMENDMENT TO THE 2017 ACTION PLAN. THE CITY'S INTENT TO REALLOCATE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM PAST PROGRAM YEARS TO AMEND ACTIVITIES (GMCD)

Mayor Hernandez opened the public hearing. There being no comments, the public hearing was closed.

ITEM 4. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR JUNE 2019

Alex Meade, City Manager, introduced the sales tax report for the month of June 2019 and stated the report showed an overall positive trend in the amount of \$2,195,293 from this point last year, or an increase of 16.26%.

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B) SUBMISSION OF TAX COLLECTION REPORT FOR MAY 2019

Alex Meade, City Manager, introduced the tax collection report for the month of May 2019 and stated collections were \$17,968,234 or 93.85% collected out of this year's levy. This was a 0.16% increase compared to last year.

C) CITY EVENTS OF INTEREST

Alex Meade, City Manager, reported the Community Development Block Grant would be hosting a Stakeholders meeting to receive community and business feedback on the 4-Year Consolidated Plan and Strategy. He further stated meeting would take place at PSJA Thomas Jefferson T-STEM Early College High School from 9:00 a.m. to 4:00 p.m. and invited the public to attend.

Alex Meade, City Manager, reminded the public of the City of Pharr Independence Day Festival taking place on Saturday, June 29, 2019 at Dr. William Long City/School Park located at 1000 E. Eldora Rd. from 6:00 p.m. to 10:00 p.m. He welcomed everyone to attend this free event.

Alex Meade, City Manager, called upon World Radio Network/Radio Manantial representative to share a few words with the City Commission.

Josefina Rios thanked the Commission, City Manager, Police Chief, Francisco Nunez, and Francisco Arroyo for their support at their Mother's Day event and presented a plaque to them.

ITEM 5. CONSENT AGENDA

A) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR SEALED BIDS FOR A SUPPLY CONTRACT FOR THE PURCHASE OF CHLORINE AND SODIUM HYPO-CHLORITE (H.T.H) FOR THE WATER AND WASTEWATER TREATMENT PLANT. (PROJECT #1819-60-582-SP003-011) (PUBLIC UTILITIES)

B) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. JOSE RUBEN MENDEZ, D/B/A 100% ANTOJITOS MEXICANOS, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.04 ACRE TRACT OF LAND OUT OF LOT 1, JACKSON RIDGE COURT PHASE 2 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1201 SOUTH JACKSON ROAD, SUITE 9. CUP#140525
2. MARIA DOLORES MONTENEGRO, D/B/A PATO'S PLACE, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A BUSINESS DISTRICT (C-2). THE PROPERTY IS LEGALLY DESCRIBED AS THE WEST 8.6 FEET OF LOT 29 AND ALL OF LOT 30, BLOCK 30, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 226 WEST STATE AVENUE. CUP#990583
3. LUBY'S BEVCO INC. D/B/A LUBY'S CAFETERIA, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS LOT 1, EL CENTRO MALL NO. 2 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1900 WEST EXPRESSWAY 83. CUP#130419

4. ALBA DORA PEDRAZA, D/B/A SEPI'S, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A BUSINESS DISTRICT (C-2). THE PROPERTY IS LEGALLY DESCRIBED AS LOT 20-22, BLOCK 30, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 212 WEST STATE STREET. CUP#120423
5. DESTINY THROUGH CHRIST CHURCH, INC., A TEXAS NONPROFIT CORPORATION, REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A CHURCH IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOTS 1, 2, AND 4, OUT OF THE REPLAT OF LOT 1, MEXICAN FIESTA SUBDIVISION AND LOT 1, MEXICAN FIESTA SUBDIVISION UNIT NO. 2, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1302 WEST NOLANA LOOP. CUP#190430
6. SHATT3R REQUESTED A CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A BUSINESS DISTRICT (C-2). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.085-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 10, BLOCK 1, J.T. DOSTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 115 EAST NEWCOMBE AVENUE (PARK AVENUE). CUP#190533
7. W. D. MOSCHEL REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 3.32-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 7, BLOCK 8, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1527 SOUTH JACKSON ROAD. COZ#190532

PLATS:

1. SALINAS ENGINEERING & ASSOCIATES, REPRESENTING RICHARD L. WOLF AND WIFE, SHERRY L. WOLF, OWNERS, REQUESTED PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED VALENTINA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.25 GROSS ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 6, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1400 BLOCK OF WEST FERGUSON AVENUE. SUB#190411
2. MELDEN & HUNT INC., REPRESENTING HERBERT L. LEVINE, MANAGER FOR MCALLEN LEVCAL LLC, REQUESTED PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED 2ND REPLAT OF REPLAT OF VACATED CAR-MEL SUBDIVISION, VACATED EL CENTRAL MALL NO. 3 AND 4 SUBDIVISIONS. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 49.684 ACRES BEING ALL OF LOTS 1A, 2A, 3A AND 4A, REPLAT OF VACATED CAR-MEL SUBDIVISION, VACATED EL CENTRO MALL NO. 3 AND 4 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 500 BLOCK OF NORTH JACKSON ROAD. SUB#190512

Alex Meade, City Manager, introduced the item and recommended approval of the consent agenda.

Comm. Guajardo moved to approve as recommended. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2019-17 is filed with the City Clerk's Office.

ITEM REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

- A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING THREE (3) REGULAR MEMBERS OF THE BOARD OF ADJUSTMENT (DEVELOPMENT SERVICES)

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Alex Meade, City Manager, introduced the item and stated staff recommended approval on reappointment of members.

Comm. Guajardo **moved** to reappoint Ruben Luna, Guadalupe Cano and Hector Guerra to the Board of Adjustment. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2019-35 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING CHAPTER 26, BUSINESSES, BY ADDING ARTICLE XI, SELF-STORAGE OR MINI-WAREHOUSE FACILITIES, TO THE CODE OF ORDINANCES. (2ND READING) (DEVELOPMENT SERVICES)

Alex Meade, City Manager, introduced the item and stated staff recommended approval.

Comm. Medina **moved** to approve. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-92-15 PROVIDING FOR A REASONABLE LIMIT ON THE AMOUNT OF TIME TO BE SPENT FOR REPEAT PUBLIC INFORMATION REQUESTORS. (2ND READING) (ADMINISTRATION)

Alex Meade, City Manager, introduced the item and stated staff recommended approval.

Comm. Guajardo **moved** to approve. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2018-41 RELATING TO THE NUMBER OF AUTHORIZED CIVIL SERVICE POSITIONS WITHIN THE FIRE AND POLICE DEPARTMENT (3RD AND FINAL READING) (HR)

Alex Meade, City Manager, introduced the item and stated staff recommended approval.

Comm. Carrillo **moved** to approve. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2019-18 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING APPENDIX A, ZONING ORDINANCE (3RD AND FINAL READING) (DEVELOPMENT SERVICES)

Alex Meade, City Manager, introduced the item and briefly explained oversized storage units under applicable residential zoning districts would be listed as a permitted use so long as the design complies with city guidelines and requirements. He further recommended approval.

Comm. Carrillo **moved** to approve. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2019-19 is filed with the City Clerk's Office.

ITEM 7. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF NEW DUTY WEAPON(S) FOR THE PHARR POLICE DEPARTMENT (PROJECT#1819-21-512-P021-0003) (POLICE)

Alex Meade, City Manager, introduced the item and recommended approval.

Comm. Medina moved to approve. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

ITEM 8. LEGAL

A) CONSULTATION AND ACTION, IF ANY, CONCERNING CITY OF PHARR VS. TEXAS MUNICIPAL LEAGUE, LITTLETON GROUP, C-2246-15-A (LEGAL)

Alex Meade, City Manager, introduced the item and stated staff recommended settlement.

Comm. Carrillo moved to approve. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

ITEM 11. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo moved to adjourn. Comm. Carrillo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:49 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 17TH DAY OF JUNE 2019 the Board of Commissioners of the City of Pharr, Texas convened in a **REGULAR CALLED MEETING** at the Commissioner's Room located at 118 S. Cage, 2nd Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:



HILDA PEDRAZA, CITY CLERK

APPROVED: July 1, 2019