

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JULY 1, 2019
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, July 1, 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. Daniel Chavez
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Alex Meade, City Manager
Ed Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Center Director
Karla Moya, Finance Director
Anali Alanis, HR Director
Leonardo Perez, Fire Chief
Jose Luengo, Police Chief
Melanie Cano, Dev. Services Dir.
Ricardo Pedraza, Public Works Director
Jose Villescascas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jose Pena, I.T. Director
Luis Bazan, 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 Hernandez called the meeting to order at 4:01 p.m. Roll call established a quorum.

B) PLEDGE OF ALLEGIANCE/INVOCATION

Luis Bazan led in the pledge of allegiance and said the invocation.

ITEM 2. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 3. CITY MANAGER'S REPORTS

A) CITY ENGINEER'S REPORT

Alex Meade, City Manager, introduced the City Engineer's report and stated any questions could be entertained at this time. There were no questions.

B) CITY EVENTS OF INTEREST

Alex Meade, City Manager, reported a ribbon cutting ceremony for Planet Fitness Gym would be held on Monday, July 1, 2019 at 5:30 p.m. at 1300 E. Business Highway 83. He further reported a ribbon cutting for the Pharr Fire Station #4 would be held on Wednesday, July 3, 2019 at 11:00 a.m. at 10801 S. International Dr.

At this time, Mayor Hernandez spoke about the ongoing drainage issues. He stated Hidalgo County had passed a drainage bond to address this problem and stated a meeting with the County would take place on Tuesday, July 2, 2019 to discuss the status and timeline of project. He added once meeting was held, the public would be notified on the project by publication to city website in both English and Spanish form.

ITEM 4. CONSENT AGENDA**A) APPROVAL OF MINUTES FOR JUNE 12, 2019 REGULAR CALLED MEETING AND JUNE 17, 2019 REGULAR CALLED MEETING (ADMINISTRATION)****B) CONSIDERATION AND ACTION ON RESOLUTION AUTHORIZING CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE HAZARD MITIGATION GRANT PROGRAM (HMGP), COMMITMENT OF LOCAL FUNDS, AND MAYOR TO EXECUTE A CONTRACT WITH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) (ENGINEERING)****C) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:**

1. THE CITY OF PHARR, D/B/A PHARR EVENTS CENTER, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS 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 LOT 1, TIP-O-TEXAS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3000 NORTH CAGE BOULEVARD. CUP#160627
2. ROMMEL ORGANISTA, D/B/A KURAI CHINESE & SUSHI RESTAURANT, 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 0.05 ACRE, MORE OR LESS, OUT OF LOT 1, JACKSON RIDGE COURT PHASE II SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1201 SOUTH JACKSON, SUITE 1. CUP#120424
3. EDINBURG RAM, LLC, D/B/A KHAN'S GRILL, REQUESTED A CONDITIONAL USE PERMIT AND LATE HOURS 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 LOT 6A, JACKSON RIDGE COURT SUBDIVISION PHASE III – AMENDED PLAT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1005 SOUTH JACKSON ROAD. CUP#180644
4. RUDY'S TEXAS BAR-B-Q, L.L.C./CARLOS TORRES, D/B/A RUDY'S COUNTRY STORE BAR-B-Q, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, LOS HOTELES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 209 WEST NOLANA LOOP. CUP#040644

5. IMPERIUM EVENT CENTER, LLC. REQUESTED A CONDITIONAL USE PERMIT AND LATE HOURS 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 LOT 1, VACATING PLAT OF LA QUINTA SUBDIVISION LOTS 52-55, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5952 SOUTH CAGE BOULEVARD. CUP#190540
6. KHANH NGUYEN, D/B/A SNOW BITE, REQUESTED A CONDITIONAL USE PERMIT AND LATE HOURS 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 0.078-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 4A, REPLAT OF VACATED CAR-MEL SUBDIVISION, VACATED EL CENTRO MALL NO. 3 & 4 SUBDIVISION PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 500 NORTH JACKSON ROAD, SUITE L-2. CUP#190536
7. CESAR CHAVEZ FOUNDATION OR AFFILIATE REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO HIGH-DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (R-4). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 10.00 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 201, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 1500 BLOCK OF WEST RIDGE ROAD. COZ#190316
8. ARMANDO ESCAMILLA REQUESTED A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO MULTI FAMILY RESIDENTIAL DISTRICT (R-3). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 6, BLOCK 3, PALM HEIGHTS WEST SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1010 WEST CAFFERY AVENUE. COZ#190535
9. NELDA TELLES REQUESTED A CHANGE OF ZONE FROM TWO-FAMILY RESIDENTIAL DISTRICT (R-2) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING THE N266'-W1.21 ACRES OF THE N6.21 ACRES OF LOT 1, GEHLERT'S SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 222 E. SAM HOUSTON AVE. COZ#190534

PLATS:

1. MELDEN & HUNT INC., REPRESENTING CARLOS VARELA, REGISTERED AGENT FOR VARCO PHARR LAND, LLC., REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED JUNCTION VIEW SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A TRACT OF LAND CONTAINING 2.61 ACRES OUT OF LOT 149, KELLY-PHARR SUBDIVISION PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 2100 BLOCK OF NORTH IH 69C. SUB#190307

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

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

Ordinance Nos. O-2019-20, O-2019-21, O-2019-22 and Resolution No. R-2019-36 are filed with the City Clerk's Office.

ITEM REGULAR AGENDA - OPEN SESSION

ITEM 5. ORDINANCES AND RESOLUTIONS

- A) 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 (3RD AND FINAL READING) (DEVELOPMENT SERVICES)

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

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

Ordinance No. O-2019-23 is filed with the City Clerk's Office.

B) 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. (3RD AND FINAL READING) (ADMINISTRATION)

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

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

Ordinance No. O-2019-24 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION OF THE CITY OF PHARR, TEXAS IN OPPOSITION TO SENATE BILL 1152 (LEGAL)

Alex Meade, City Manager, introduced the item and stated item would be discussed in closed session.

ITEM 6. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON PROPOSED TOLL INCREASE AT THE PHARR INTERNATIONAL BRIDGE (BRIDGE)

Alex Meade, City Manager, introduced the item and briefly stated the Bridge Board approved the proposed toll increase on June 14, 2019. He stated an increase of \$0.50 on all cars would take effect August 1, 2019 and an increase of \$0.75 on all AVI trucks would take effect on October 1, 2019.

Comm. Carrillo asked staff if the increase could be done at the same time. Alex Meade, City Manager, stated the City was currently working with the produce industry and they advised October would be enough time to make this change.

Mayor Hernandez clarified that the border security and immigration issues had affected our bridge crossings. He stated the increase was needed and more than likely other bridges will increase their toll fees as well.

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

ITEM 7. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, ON DEDUCTIVE CHANGE ORDER NO. 2 IN THE AMOUNT OF \$583,534.89 AND FINAL ACCEPTANCE OF THE SINGLE MACHINE REPAVING PROJECT YEAR 4 WITH CUTLER REPAVING, INC. AND RELEASE OF FINAL PAYMENT AND RETAINAGE IN THE AMOUNT OF \$126,516.07. (PROJECT NO. 1819-01-528-C006-241) (ENGINEERING)

Alex Meade, City Manager, introduced the item and stated Cutler Repaving, Inc. has completed the Year 4 paving project. A final inspection was held on June 21, 2019 and improvements were completed according to plan specifications. Therefore, Deduct

Change Order No. 2 was for the final reconciliation of quantities and recommended approval.

Mayor Hernandez asked for a status on alleyways project. Ricardo Pedraza, Public Works Director, stated they had started working on alleys and were currently 1/5 complete. He added they are currently working on South Jackson Road by Valle Del Norte Subdivision and were working their way from south to north Pharr.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR EMPLOYEE BENEFITS (ADMINISTRATION)

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

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

C) CONSIDERATION AND ACTION, IF ANY, ON PROJECT WAND (PEDC II)

Alex Meade, City Manager, introduced the item and stated item would be discussed in closed session.

At this time, Mayor Hernandez, stated they would deviate 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 4:15 p.m., Mayor Hernandez 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 4:40 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 5. ORDINANCES AND RESOLUTIONS

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION OF THE CITY OF PHARR, TEXAS IN OPPOSITION TO SENATE BILL 1152 (LEGAL)

Alex Meade, City Manager, reintroduced the item.

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

ITEM 7. CONTRACTS/AGREEMENTS**C) CONSIDERATION AND ACTION, IF ANY, ON PROJECT WAND (PEDC II)**

Alex Meade, City Manager, reintroduced the item.

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

ITEM 8. LEGAL**A) DISCUSSION AND ACTION, IF ANY, REGARDING CITY OF MCALLEN, ET AL, V. STATE OF TEXAS, CAUSE NO. D-1-GN-17-004766, EXPANDING SB1004 LITIGATION TO INCLUDE OPPOSITION TO SB 1152. (LEGAL)**

Alex Meade, City Manager, reintroduced the item.

Comm. Carrillo moved to approve as discussed in closed session. Comm. Guajardo 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. Carrillo moved to adjourn. Comm. Guajardo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:40 p.m.

CITY OF PHARR



 AMBROSIO HERNANDEZ
 MAYOR

STATE OF TEXAS
 COUNTY OF HIDALGO
 CITY OF PHARR

ON THIS THE 1st DAY OF JULY 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 17, 2019