

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

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

BOARD OF COMMISSIONERS ABSENT: Comm. Itza Flores

STAFF PRESENT: Alex Meade, City Manager
Ed Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Omar Anzaldua, City Engineer
Dolly Ybarra, Events Center
Karla Moya, Finance Director
Anali Alanis, HR Director
Eloy Salazar, Asst. Fire Chief
Jose Luengo, Police Chief
Melanie Cano, Dev. Services Dir.
Ricardo Pedraza, Public Works Director
Jose Villescas, Public Utilities Director
Isaac Escobedo, Parks & Rec. Asst. Dir.
Adolfo Garcia, Library Director
Jose Pena, I.T. Director
Luis Bazan, Bridge Director
Kenneth Ennis, Communications Asst. 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 4:02 p.m. Roll call established a quorum.

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

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

At this time, Mayor Hernandez called upon A.C. Jaime. Mr. Jaime thanked the Commission for the way meetings are being conducted and asked them to consider a resolution similar to the one passed by the U.S. House of Representatives condemning President Trump for his recent actions and racial comments.

ITEM 2. PROCLAMATIONS:

A) PROCLAMATION PROCLAIMING NATIONAL DISABILITY VOTER REGISTRATION WEEK

No one was present to receive proclamation.

ITEM 3. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Jesus Gonzalez, 216 W. State Ave., spoke against item 5.B.2 and voiced his concern with the sale of alcohol. He stated trash was left on his property and vehicles were blocking his driveway.

Evangelina D. Arteaga, 222 W. State Ave. and 224 W. State Ave., also spoke against item 5.B.2 and voiced her concern with drunk men and the safety of her daughters.

Evangelina M. Arteaga stated she had lived at her residence for the past 53 years and stated she was against Sepi's Bar. She feels the bar has negatively affected her property and was concerned for the safety of her family. She asked the commission to reconsider the alcohol permit.

ITEM 4. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR JULY 2019

Alex Meade, City Manager, introduced the sales tax collection report for the month of July 2019. He reported the sales tax activity for the month has shown an overall positive trend in the amount of \$2,195,293 from this point last year, or an increase of 15.06%.

B) SUBMISSION OF TAX COLLECTION REPORT FOR JUNE 2019

Alex Meade, City Manager, introduced the tax collection report for the month of June 2019 and reported current tax collections were \$18,116,213 or 94.45% collected out of this year's levy. He stated this was 0.21% increase compared to last year.

C) CITY EVENTS OF INTEREST

No events were reported at this time.

ITEM 5. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR JULY 1, 2019 REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. LIZBETH G. VELASCO REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN OVERSIZE STORAGE UNIT (LARGER THAN 120 SQUARE FEET) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 7, FAIRVIEW VILLAGE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 7508 SOUTH CARLOS STREET. CUP#190317

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2. CARLOS R. ELIZONDO, D/B/A SEPI'S, REQUESTED A 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 BEING LOT 22, BLOCK 30, PHARR ORIGINAL TOWNSITE, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 212 WEST STATE STREET. CUP#190641

3. LAS MARGARITAS RESTAURANT, INC., 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 BEING LOTS 7-10, BLOCK 28, PHARR ORIGINAL TOWNSITE, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 106 NORTH CAGE BOULEVARD. CUP#160630

4. R.G.V. & ASSOCIATES/LAURA L. GARZA, D/B/A GEORGE'S DANCE HALL, 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 LOTS 197, 198, AND 199, VALLE DE LA PRIMAVERA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 6801 SOUTH JACKSON ROAD. CUP#120529

5. SCALISI'S CHICAGO PIZZA & MORE 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 0.073 OF AN ACRE, MORE OR LESS, OUT OF LOT 2, NOLANA BUSINESS PLAZA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 912 EAST NOLANA LOOP, SUITES R, S AND T. CUP#170637

6. SANDRA L. GOMEZ, D/B/A DESPERADOS SALOON II, 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 LOTS 14 AND 15, LA QUINTA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5826 SOUTH CAGE BOULEVARD. CUP#160208

7. ROXANNE RIVAS, REPRESENTING AMELIO RIVAS JR. AND GLORIA M. RIVAS, OWNERS, REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.35-ACRE TRACT OF LAND, OUT OF A 3.00-ACRE TRACT OF LAND, OUT OF THE SOUTH 24.19 ACRES OF LOT 5, BLOCK 12, A.J. MCCOLL SUBDIVISION, OF PORCION 68, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1618 WEST ANAYA ROAD. COZ#190643

PLATS:

1. SPOOR ENGINEERING CONSULTANTS, INC., REPRESENTING W.D. MOSCHEL, OWNER, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED FOX SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 3.32-ACRE TRACT OF LAND OUT OF THE NORTH 10.0 ACRES OF LOT 7, BLOCK 8, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1500 BLOCK OF SOUTH JACKSON ROAD. SUB#190515

Alex Meade, City Manager, introduced the item and recommended item 5.B.2 be tabled and recommended approval of the rest of the consent agenda. He further noted item 5.B.1 under plats be approved without the variance.

Comm. Carrillo moved to approve as recommended. Comm. Chavez seconded the motion and when put to a vote, it carried by a majority vote of five (5) ayes and one (1) nay. Comm. Medina voted against the motion.

Ordinance No. O-2019-25 is filed with the City Clerk's Office.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

- A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2017-32 RENAMING THE PHARR BEAUTIFICATION COMMITTEE TO KEEP PHARR BEAUTIFUL COMMITTEE (1ST READING) (ADMINISTRATION)**

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

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

- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2010-33 REGULATING BUSINESS, STORAGE, DISPOSAL, REGISTRATION AND HAULERS FOR TIRES (1ST READING) (PUBLIC WORKS)**

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

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

- C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2017-12 (ANIMAL CONTROL) (1ST READING) (PUBLIC WORKS)**

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

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

- D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ADOPTING THE ANNUAL ACTION PLAN 2019 TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (GMCD)**

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.

Resolution No. R-2019-38 is filed with the City Clerk's Office.

- E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING MEMBERS TO THE TOLL BRIDGE BOARD (BRIDGE)**

Alex Meade, City Manager, introduced the item and recommended the item be tabled.

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

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING TWO (2) MEMBERS TO THE PHARR PUBLIC SAFETY COMMUNICATIONS ADVISORY COMMITTEE (COMMUNICATIONS)

Alex Meade, City Manager, introduced the item and recommended the item be tabled.

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

ITEM 7. ADMINISTRATIVE

A) DISCUSSION AND POSSIBLE ACTION ON CITY OF PHARR SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2019 (ADMINISTRATION)

Alex Meade, City Manager, introduced the item and recommended the item be tabled.

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

B) CONSIDERATION AND ACTION, IF ANY, ON PERMISSION TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS FOR CONSTRUCTION MANAGEMENT SERVICES FOR PHARR INTERNATIONAL BRIDGE PROJECTS AND GRANTING PERMISSION TO THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT FOR SUCH SERVICES (ADMINISTRATION)

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

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

C) CONSIDERATION AND ACTION, IF ANY, ON PERMISSION TO ADVERTISE FOR COMPETITIVE SEALED PROPOSALS FOR LAWN AND LANDSCAPING SERVICES FOR THE CITY OF PHARR AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SUCH SERVICES (ADMINISTRATION)

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

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

D) CONSIDERATION AND ACTION, IF ANY, REAFFIRMING APPOINTMENT OF MAYOR AMBROSIO HERNANDEZ TO THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION (RGVMPO) AS REPRESENTATIVE FOR THE CITY OF PHARR (ADMINISTRATION)

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

Comm. Carrillo **moved** to approve. Comm. Chavez seconded the motion and when put to a vote, it carried by a majority vote of five (5) ayes and one (1) abstention. Mayor Hernandez abstained from voting.

ITEM 8. PURCHASING:

A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF TWO (2) SKYCOPI SURVEILLANCE TOWERS (PROJECT #1819-32-512-IPQ068-001) (POLICE)

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

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

ITEM 9. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO RATIFY AMENDMENT NO.1 TO THE CONTRACT WITH R. GUTIERREZ ENGINEERING CORPORATION FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES FOR THE PSJA TRI-CITY PEDESTRIAN SAFETY IMPROVEMENTS PROJECT (PROJECT #1819-01-528-S016-001) (ENGINEERING)

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

Omar Anzaldúa, City Engineer, briefly stated the additional engineering services were for the remaining design of the sidewalks on Dicker Road and amendment was needed to help expedite the project.

Comm. Carrillo moved to approve. Comm. Medina seconded the motion and when put to a vote, it carried by a majority vote of five (5) ayes and one (1) abstention. Comm. Chavez abstained from voting.

B) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 2 WITH JIMMY CLOSER & SONS CONSTRUCTION COMPANY INC. FOR THE WATER TRANSMISSION MAIN IMPROVEMENTS PROJECT (BID NO. 1415-02-582-0037) (ENGINEERING)

Alex Meade, City Manager, introduced the item and stated staff recommended approval to add \$7,475 to the Water Transmission Main Improvements contract with Jimmy Closer & Sons Construction Company.

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO A SERVICE CONTRACT WITH APPLIED TRAINING SYSTEMS INC. (REVIEWSNAP) FOR SUBSCRIPTION SERVICES FOR 360 PERFORMANCE REVIEWS (PROJECT #1819-01-526-IPQ064-003) (HR)

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

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

D) CONSIDERATION AND ACTION, IF ANY, ON AWARD OF CONTRACT FOR THE HI LINE 16-INCH WATERLINE PROJECT (PROJECT #1819-60-583-C015-051) (ENGINEERING)

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

Omar Anzaldúa, City Engineer, briefly explained the purpose was to tie the waterline to a new development as a secondary source of water.

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There being no further comments, Comm. Carrillo moved to approve. Comm. seconded the motion and when put to a vote, it carried unanimously.

At this time, Mayor Hernandez, stated they would go into closed session. There was no objection.

ITEM 10. 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 4:22 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 11. RECONVENE

The time being 4:49 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 5. CONSENT AGENDA

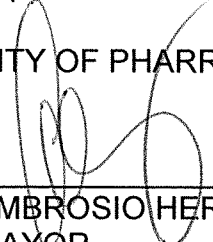
- B) 2. CARLOS R. ELIZONDO, D/B/A SEPI'S, REQUESTED A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A BUSINESS DISTRICT (C-2). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 22, BLOCK 30, PHARR ORIGINAL TOWNSITE, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 212 WEST STATE STREET CUP#190641**

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

Comm. Guajardo moved to approve as approved by the Planning and Zoning Commission. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

ITEM 12. ADJOURNMENT

There being no other business to come before the board, Comm. Carrillo moved to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:50 p.m.

CITY OF PHARR


AMBROSIO HERNANDEZ
MAYOR

MINUTES: REGULAR MEETING
JULY 17, 2019

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR**

ON THIS THE 17th 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: August 7, 2019