

**TAKE NOTICE THAT A REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, TEXAS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 4:00 PM ON
TUESDAY, JANUARY 3, 2023**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and city ordinances. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

1. CALL TO ORDER:

- A) Roll call and possible action on the excusing of any absent member of the governing board.
- B) Pledge of Allegiance/Invocation

2. PUBLIC TESTIMONY: *(Ordinance No. O-2019-45). A person intending on addressing the governing body may speak at a scheduled meeting of the governing body following registration with the presiding clerk and prior to the scheduled meeting. A registered speaker may speak only on items on the agenda and may not exceed 1.5 minutes when addressing the board regarding an agenda item. A registered speaker may not donate time to another speaker. A sign-in form for public testimony shall be promulgated by the presiding clerk and be made available at the city clerk's office. A person may sign up for public testimony beginning at the time the agenda is posted for the meeting. A person may not sign up later than one hour before the posted meeting is scheduled to begin. No registered speaker may be allowed to speak regarding an item once the public testimony portion of the agenda has ended.*

3. PUBLIC HEARINGS: *(Ordinance No. O-2019-31). A registered speaker during the public hearing may not exceed 1.5 minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the presiding clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.*

- A) Public hearing on development services cases

4. CITY MANAGER'S REPORTS: *(City Manager's Administrative Reports and discussion, if any, with governing body. The City Manager may also assign a designated spokesperson for any particular listed topic)*

- A) City Engineer's Report
- B) City Events of Interest

AGENDA REGULAR MEETING
January 3, 2023

5. CONSENT AGENDA: *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

A) Approval of Minutes for December 19, 2022 Regular Called Meeting. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance repealing and replacing Ordinance No. O-2010-57 in its entirety *(3rd and Final Reading)*. **This item supports QL - Quality of Life.** (ADMINISTRATION)

C) Consideration and action, if any, on Development Services Cases:

1. 33 Construction and Energy, LLC., representing Norma D. Rodriguez Trejo, owner, has filed with the Planning and Zoning Commission a request for 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 0.97 acres, more or less, out of Lot 326, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 500 West Dicker Road. COZ#221169 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

2. R. E. Garcia & Associates, representing Jene & Jonathan Byrom, owners, has filed with the Planning and Zoning Commission a request for 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 1.83 acres, more or less, out of Lot 249, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 - 1200 Block of West Javelina Drive. COZ#221168 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Resolution appointing two (2) members to the Keep Pharr Beautiful Committee. (PARKS)

B) Consideration and action, if any, on a Resolution Amending Resolution R-2022-48, accepting the Petition for Voluntary Annexation, setting date, time and place for public hearing, authorizing and directing publication of the notice of such public hearing, and directing the City Manager to prepare service plan for 17.425 acres of land, more or less, located at the northeast corner of South Veterans Boulevard and East Military Highway, in the City of Pharr's Extraterritorial Jurisdiction (ETJ), Hidalgo County, Texas. **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

7. PURCHASING:

A) Consideration and action, if any, ratifying the renewal of carbon black cloud anti-virus subscription for window systems city wide from SHI Government Solutions, Inc. through contract DIR-TSO-4291. **This item supports IF - Infrastructure.** (PURCHASING)

B) Consideration and action, if any, on five-year finance purchase of six Scale Computing servers from SHI Government Solutions, Inc. and HPE Financial Services through Sourcewell Contract No. 081419 in the amount of \$244,000.00. **This item supports IF - Infrastructure.** (IT)

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, authorizing City Manager to enter into a subscription services agreement with Recite Me NA LLC for City website accessibility software. **This item supports SE - Service Excellence.** (IT)

B) Consideration and action, if any, authorizing City Manager to enter an agreement with Blue Stone Capital Solutions, LLC. for Professional Financial Consulting Services for the bridge. **This item supports SE - Service Excellence.** (BRIDGE)

C) Consideration and action, if any, on Change Order No. 1 in the amount of \$598,863.20 to the Professional Engineering Services Agreement with Cobb Fendley & Associates, Inc. for the City Wide Fiber Optic Project, TeamPharr.Net for additional scope of work. **This item supports IF - Infrastructure.** (IT)

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:*

Pursuant to Section 551.071, the Board may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the Board may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

AGENDA REGULAR MEETING

January 3, 2023

Pursuant to Section 551.074, the Board may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the Board may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the Board may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.087, the Board may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

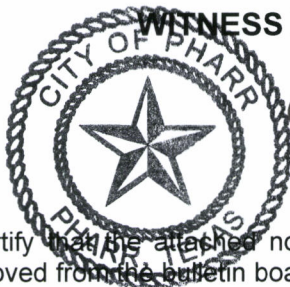
10. RECONVENE: *into Regular Session and consider action, if necessary, on any items(s) discussed in closed session.*

11. ADJOURNMENT:

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956-402-4100 Ext. 1016 / 1007 or FAX 956-702-5313 or E-mail hilda.pedraza@pharr-tx.gov and imelda.perez@pharr-tx.gov for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the City Commission of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at www.pharr-tx.gov. This Notice was posted on the 29th day of December 2022 at 5:30 p.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).



WITNESS MY HAND AND SEAL, this 29th day of December 2022.


IMELDA PEREZ, TRMC
ASSISTANT CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was removed from the bulletin board of City Hall on the _____ day of _____, 20__ by,

Title: _____



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 3.A.

DATE SUBMITTED:

MEETING DATE: January 3, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Public hearing on development services cases

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue:

Fiscal Consideration:

Staff Recommendation:

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Hilda Pedraza
Karla Saavedra
Patricia Rigney
City Management Office

Created -



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.A.

DATE SUBMITTED: December 29, 2022

MEETING DATE: January 3, 2023

FROM: Ruben Alfaro, City Engineer

DEPARTMENT: Engineering

DIRECTOR: Ruben Alfaro

Agenda Item: City Engineer's Report

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: N/A

Fiscal Consideration: N/A

Staff Recommendation: N/A

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Ruben Alfaro
Ruben Alfaro
City Management Office

Created/Initiated - 12/29/2022
Approved - 12/29/2022
Final Approval - 12/29/2022



Report on Capital Improvement Project Activity Construction - January 2022

City Engineer – Ruben Alfaro, PE
Monday, January 3, 2022



Pharr
Engineering



City Engineers Report

Architect: The Warren Group Architects, Inc.

Contractor: Davila Construction, Inc.

CM: Brownstone Consultants, LLC

Notice to Proceed: Dec. 2, 2020

Contract Time: 273

Time to Date: 566(207.33%)

*stop time, June 21, 2022

Contract Amount: \$7,500,000.00

Change Orders: \$0.00

Current Contract: \$7,500,000.00

Placed to Date: \$7,262,740.45 (96.84%)

Status: Phase I has been accepted by CC at meeting on June 20, 2022. Substantial Completion for Phase II, except amphitheater, was granted June 21, 2022. Amphitheater was substantially completed on November 3, 2022.

Next Step: Project close-out of Phase II is ongoing and is expected to be accepted by City Commission on January 2023.



Description: The project generally consists of a new 12,990 sq. ft. community center that will house a lecture hall and computer lab, a French garden with reflective pool and walking trail, and an amphitheater. The location is at 1121 E. Nolana Loop.

Northside Community Center (1/1)



Pharr
Engineering



CONSTRUCTION

Engineer: TEDSI Infrastructure Group, Inc.

Contractor: International Consulting Engineers

CM: Brownstone Consultants, LLC

Notice to Proceed: Sept. 8, 2020

Contract Time: 545 + 26 + 30 + 112 + 223

(ETC April 02, 2023, *2nd BSIF Exit*)

Time to Date: 790 (87%)

Contract Amount: \$7,946,724.38

Change Orders: \$550,940.01

Current Contract: \$8,497,664.39

Placed to Date: \$7,262,823.90 (83%)

Description: The Northbound Lanes generally consists of constructing two (2) additional northbound lanes and super wide load north roadway. The 2nd BSIF Exit generally consists of constructing two (2) new exit truck lanes to the BSIF facility. Improvements also include primary and secondary inspection booths, canopies, and reshaping & regrading of a drain ditch.

Status: Work is ongoing, weather delays have affected the final completion scheduled for December.

Next Step: The contractor is finishing the last few items and is working towards a completion date of **January 25, 2023 for the final walkthrough.**



*Bridge Northbound Lane Expansion and
2nd BSIF Exit (1/1)*



Pharr
Engineering



CONSTRUCTION



Engineer: J&R Engineering, LLC
Contractor: Saenz Brothers Construction, LLC
CM: City of Pharr
Notice to Proceed: July 6, 2021 (new)
Contract Time: 120 (ETC Nov. 03, 2021)
Time to Date: 541 (451%)
Contract Amount: \$1,494,704.00
Change Orders: \$0.00
Current Contract: \$1,494,704.00
Placed to Date: \$1,100,896.00 (74%)
Status: Contractor has completed the perimeter fence.
Next Step: Contractor will continue to work within the footprint of the lift station completing the electrical work.



Description: The project generally consists of replacing an existing dry pit-wet pit lift station with a new submersible pump station and constructing a new 10-in and 8-in pressure sewer force main piping systems from LS 30 to Thomas Rd. The project is located at 7409 S. Oro Lane.

Lift Station No. 30 (1/1)



Pharr
Engineering



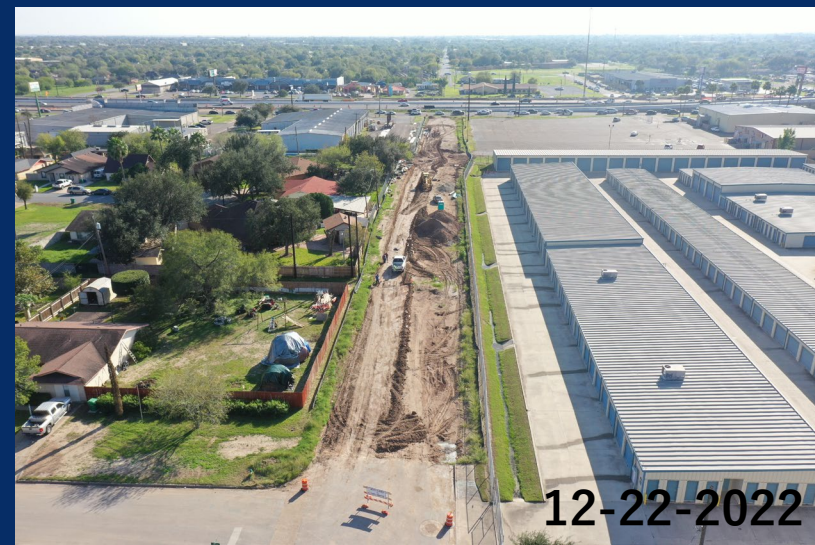
CONSTRUCTION

Engineer: City of Pharr
Contractor: Castle Enterprises, LLC.
CM: City of Pharr
Notice to Proceed: June 06, 2022 (new)
Contract Time: 120+112 (ETC Jan. 24, 2023)
Time to Date: 206 (89%)
Contract Amount: \$314,717.70
Change Orders: \$0.00
Current Contract: \$314,717.70
Placed to Date: \$22,572.00 (7%)

Description: The improvements on N. Fir Ave. will extend the existing road from Alan Street to Frontage Road. The extension will create a direction connection from Frontage Road to Ferguson Avenue. Improvements include drainage and sidewalk.

Status: Contractor has completed water crossing Improvements

Next Step: Contractor will continue to work on paving Improvements including curb and gutter to prepare for paving.



N. Fir Ave. Paving Improvements (1/1)



DEPARTMENT MISSION STATEMENT

“To enhance health, safety and welfare in the City by providing economical, responsive and effective professional engineering and architectural services.”



Pharr
Engineering



END



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.B.

DATE SUBMITTED:

MEETING DATE: January 3, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: City Events of Interest

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue:

Fiscal Consideration:

Staff Recommendation:

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Hilda Pedraza
Karla Saavedra
Patricia Rigney
City Management Office

Created -



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.A.

DATE SUBMITTED: December 27, 2022

MEETING DATE: January 3, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Anali Alanis

Agenda Item: Approval of Minutes for December 19, 2022 Regular Called Meeting. **This item supports SG - Sound Governance and Fiscal Sustainability.**

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Issue: Minutes for meeting held on Monday, December 19, 2022 at 4:00 p.m.

Fiscal Consideration: N/A

Staff Recommendation: Staff recommends approval.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 12/27/2022
Final Approval - 12/29/2022

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, DECEMBER 19, 2022
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, December 19, 2022 and following is the record of attendance.

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

BOARD OF COMMISSIONERS ABSENT: Mayor Pro Tem Daniel Chavez

STAFF PRESENT: Anali Alanis, Interim City Manager
Ed Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Ruben Alfaro, City Engineer
Karla Saavedra, Finance Director
Veronica Ramirez, HR Director
Juan Villescas, Municipal Judge
Juan Gonzalez, Interim Police Chief
Pilar Rodriguez, Fire Chief
Roland Gomez, Code Compliance Director
Kimberly Mendoza, Dev. Svcs. Director
Rodrigo Davila, Public Works Director
Ruben Rosales, Public Utilities Dir.
Sergio Alanis, Parks & Rec. Director
Cynthia Garza, External Affairs Director
Adolfo Garcia, Library Director
Luis Bazan, Bridge Director
Daniel Ramirez, E.M.S. Chief
Marcela Beas, Chamber President
Yuri Gonzalez, Chief Comm. Officer

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 BOARD

Mayor Hernandez called the meeting to order at 4:00 p.m. Roll call established a quorum.

MINUTES: REGULAR CALLED MEETING
December 19, 2022

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

Roland Gomez, Code Compliance Director, led the pledge of allegiance and said the invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING ARBOR DAY

Hanna Marble, Urban Ecologist, went over the purpose and benefits of having trees and explained the meaning of Arbor Day. She further stated they were using the iTree canopy tool to classify land and tree cover across the city using random sampling of ariel imagery.

Comm. Guajardo read proclamation proclaiming December 19, 2022 as Arbor Day and urged all residents to support the efforts to protect our trees and promote the well-being of future generations.

ITEM 3. PUBLIC TESTIMONY

No one signed up to speak.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

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

ITEM 5. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR DECEMBER 2022

Anali Alanis, Interim City Manager, briefly reported the City of Pharr showed an increase of 8.76% year to date true growth compared to last year and the City ranked No. 6 compared to neighbor cities. She further stated Finance Director was in the audience and questions could be entertained at this time.

B) SUBMISSION OF PROPERTY TAX COLLECTION REPORT FOR NOVEMBER 2022

MINUTES: REGULAR CALLED MEETING
December 19, 2022

Anali Alanis, Interim City Manager, briefly reported current property tax collections were \$2.4 million and delinquent property tax collections were \$131,931 as of November 2022. She further stated Finance Director was in the audience and questions could be entertained at this time.

C) CITY EVENTS OF INTEREST

Anali Alanis, Interim City Manager, reported the Police Department Blue Santa Giveaway would take place on Tuesday, December 20, 2022 from 4:00 p.m. to 9:00 p.m. at 3000 North Cage Blvd. She stated staff coordinated with the schools and children from the community received a voucher for toy pickup.

Anali Alanis, Interim City Manager, further reported the Police Department would host the Bear giveaway at three local hospitals to distribute bears to the children who were hospitalized. She also reported the blue Guardian giveaway was held from December 8, 2022 to December 19, 2022 and stated patrol officers delivered clothing, shoes, and a small toy to a family a day for 12 days.

Anali Alanis, Interim City Manager, reminded the residents the deadline to participate in the Deck the House Pharr Holiday contest was Monday, December 19, 2022 at 5:00 p.m. and the winner would be announced on social media on Wednesday, December 21, 2022 at noon. She further reminded the public the New Year's Ball Drop featuring the Spazmatics on Saturday, December 31, 2022 from 7:30pm to 12 midnight in downtown Pharr.

At this time, Anali Alanis, Interim City Manager, recognized Hilda Pedraza, City Clerk, for receiving her bachelor's degree in Operations Management and graduating with honors with a 3.89 GPA. Ms. Pedraza stated she felt fortunate that God allowed her to complete her bachelor's degree, and this was something she wanted to do for herself and her family. She further stated it was hard, but not impossible and thanked the commission for the recognition.

Lastly, Anali Alanis, Interim City Manager, reported the City of Pharr gifted over 300 blankets to residents of nursing homes in Pharr and stated this was one of the many initiatives the city takes to engage members of all communities. A video recap was presented on the nursing homes visits and the Christmas Posada held on December 10, 2022. She further presented the Mayor and Commissioners with the Quality Texas Foundation Governor's award received in 2022.

MINUTES: REGULAR CALLED MEETING

December 19, 2022

ITEM 5. CONSENT AGENDA

- A) APPROVAL OF MINUTES FOR NOVEMBER 21, 2022 REGULAR CALLED MEETING; DECEMBER 5, 2022 REGULAR CALLED MEETING; AND DECEMBER 12, 2022 SPECIAL CALLED MEETING. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2020-23 REGARDING SUBSTANDARD STRUCTURES (3RD AND FINAL READING). THIS ITEM SUPPORTS QL - QUALITY OF LIFE (BUILDING AND CODE COMPLIANCE)**
- C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2010-40 REGARDING BUILDING AND STANDARDS COMMISSION (3RD AND FINAL READING). THIS ITEM SUPPORTS QL - QUALITY OF LIFE (BUILDING AND CODE COMPLIANCE)**
- D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE REPEALING AND REPLACING ORDINANCE NO. O-2022-39 REGULATING EMERGENCY AMBULANCE SERVICES (3RD AND FINAL READING). THIS ITEM SUPPORTS QL - QUALITY OF LIFE (EMERGENCY MEDICAL SERVICES)**
- E) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE REPEALING AND REPLACING ORDINANCE NO. O-2010-57 IN ITS ENTIRETY (2ND READING). THIS ITEM SUPPORTS QL - QUALITY OF LIFE (ADMINISTRATION)**
- F) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:**
 - 1. BEN-AVI, LLC., OWNER, REQUESTED A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO OFFICE AND PROFESSIONAL DISTRICT (O-P). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 12, BLOCK 2, ELLERS RESUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 1234 SOUTH CAGE BOULEVARD. COZ#221165. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)**
 - 2. O & C BAR B QUE, LLC, D/B/A BAR B CUTIE SMOKEHOUSE, 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 LOT 2B, PHARR COMMERCIAL PARK PHASE II SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 1933 WEST INTERSTATE 2. CUP#160633. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)**
 - 3. JOSE ALBERTO HERNANDEZ, D/B/A DOC'S BILLIARDS & SPORTS BAR, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A**

MINUTES: REGULAR CALLED MEETING

December 19, 2022

GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING THE SOUTH 150 FT. OF LOTS 17, 18 AND 19, BLOCK 1, SAN PATRICIA ACRES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 917 WEST FERGUSON AVENUE. CUP#130630. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

4. MARIO ALBERTO TORRES D/B/A ON THE GRILL 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 0.075 OF AN ACRE, MORE OR LESS, OUT OF LOT 1, JACKSON RIDGE COURT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1201 SOUTH JACKSON ROAD, SUITE 7. CUP#170740. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

G) PLATS:

1. TREVIÑO ENGINEERING, REPRESENTING ELIAS J. GUTIERREZ, OWNER, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED CASA GUTIERREZ SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.279 OF AN ACRE TRACT OF LAND CONSISTING OF THE SOUTHERN PORTION OF LOTS 6 AND 7, BLOCK 3, SECOND AMENDED MAP OF HELMER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1300 BLOCK OF WEST CHEROKEE AVENUE. SUB#210719. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

Anali Alanis, Interim City Manager, introduced the item.

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

Ordinance Nos. O-2022-53, O-2022-54, O-2022-55, and O-2022-56 are filed with the City Clerk's office.

REGULAR AGENDA - OPEN SESSION

ITEM 7. ORDINANCES AND RESOLUTIONS:

- A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION TO ACCEPT PETITION FOR VOLUNTARY ANNEXATION, SETTING DATE, TIME AND PLACE FOR PUBLIC HEARING, AUTHORIZING AND DIRECTING PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING, AND DIRECTING THE CITY MANAGER TO PREPARE SERVICE PLAN FOR APPROXIMATELY 17.425 ACRES OF LAND, MORE OR LESS, LOCATED AT THE NORTHEAST CORNER OF SOUTH VETERANS BOULEVARD AND EAST MILITARY HIGHWAY, IN THE CITY OF PHARR'S EXTRATERRITORIAL JURISDICTION (ETJ), HIDALGO COUNTY, TEXAS. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

Anali Alanis, Interim City Manager, introduced the item.

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

Resolution No. R-2022-48 is filed with the City Clerk's office.

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION CANCELING/RESCHEDULING THE CITY COMMISSION MEETING OF MONDAY, JANUARY 2, 2023. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)

Anali Alanis, Interim City Manager, introduced the item and recommended the meeting of Monday, January 2, 2023 be rescheduled to Tuesday, January 3, 2023 due to the New Year's holiday.

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

Resolution No. R-2022-49 is filed with the City Clerk's Office.

ITEM 8. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON REQUEST TO REJECT ALL PROPOSALS FOR MARKETING SERVICES FOR THE TEAMPHARR.NET PROJECT. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ADMINISTRATION)

Anali Alanis, Interim City Manager, introduced the item.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO RE-ADVERTISE FOR REQUESTS FOR PROPOSALS (RFP) FOR MARKETING SERVICES FOR TEAMPHARR.NET PROJECT. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ADMINISTRATION)

Anali Alanis, Interim City Manager, introduced the item.

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AMEND THE ROTATION LIST AND ENTER INTO A MASTER SERVICE AGREEMENT WITH TWO ADDITIONAL FIRMS FOR THE CONSTRUCTION

MATERIAL TESTING AND GEOTECHNICAL ENGINEERING SERVICES POOL. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ENGINEERING)

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 9. PURCHASING:

- A) CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF HARDWARE AND SOFTWARE SUPPORT FOR NETWORK EQUIPMENT FOR TEAMPHARR.NET FROM SOLID IT NETWORKS, INC. THROUGH DIR-TSO-4339. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (IT)**

Anali Alanis, Interim City Manager, introduced the item.

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

- B) CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF CLOUD SOFTWARE SUPPORT FOR TEAMPHARR.NET FROM CALIX, INC. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (IT)**

Anali Alanis, Interim City Manager, introduced the item.

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

- C) CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF CLOUD FIBER DESIGN SOFTWARE SUPPORT FOR TEAMPHARR.NET FROM IQGEO AMERICA, INC. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (IT)**

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 10. CONTRACTS/AGREEMENTS:

- A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO EXTEND SERVICE CONTRACT WITH SPIKES MOTOR COMPANY, INC. FROM MISSION, TEXAS FOR THE FLEET MAINTENANCE AND REPAIR SERVICES. THIS ITEM SUPPORTS IF – INFRASTRUCTURE (PURCHASING)**

Anali Alanis, Interim City Manager, introduced the item.

MINUTES: REGULAR CALLED MEETING
December 19, 2022

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

B) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING WITH SOUTH TEXAS ISD FOR USAGE OF THE SPORTS COMPLEX PARKING LOT AT 201 E. MOORE RD. THIS ITEM SUPPORTS QL - QUALITY OF LIFE (PARKS)

Anali Alanis, Interim City Manager, introduced the item.

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

C) CONSIDERATION AND ACTION, IF ANY, ON A TIME AND FEE EXTENSION FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE PHARR INTERNATIONAL BRIDGE - TWIN BRIDGE EXPANSION PROJECT. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (ADMINISTRATION)

Anali Alanis, Interim City Manager, introduced the item.

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

D) CONSIDERATION AND ACTION, IF ANY, ON SUPPLEMENTAL FEE REQUEST FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE CITY OF PHARR CITYWIDE FIBEROPTIC/ BROADBAND CONNECTIVITY PROJECT. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (ADMINISTRATION)

Anali Alanis, Interim City Manager, introduced the item.

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

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER A CONSULTING AGREEMENT WITH PATRIOT STRATEGIES. THIS ITEM SUPPORTS SE - SERVICE EXCELLENCE (PURCHASING)

Anali Alanis, Interim City Manager, introduced the item.

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

MINUTES: REGULAR CALLED MEETING

December 19, 2022

ITEM 11. 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

None.

ITEM 12. RECONVENE

None.

ITEM 13. 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 4:31 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

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

ON THIS THE 19th DAY OF DECEMBER 2022 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:



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.B.

DATE SUBMITTED: December 20, 2022

MEETING DATE: January 3, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Ed Wylie

Agenda Item: Consideration and action, if any, on Ordinance repealing and replacing Ordinance No. O-2010-57 in its entirety (*3rd and Final Reading*). **This item supports QL - Quality of Life.**

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Issue: the city is in need of updating an outdated ordinance as it relates to water service outside the corporate limits of Pharr

Fiscal Consideration: n/a

Staff Recommendation: Approval

Alternatives: disapprove

Exclude Material from Public Packet? No

Reason: n/A

ROUTING:

Hilda Pedraza
Patricia Rigney
Karla Saavedra
City Management Office

Created/Initiated - 12/20/2022
Approved - 12/21/2022
Approved - 12/29/2022
Final Approval - 12/29/2022

ORDINANCE NO. O-2022-_____

AN ORDINANCE REPEALING ALL PRIOR ORDINANCES IN CONFLICT, SPECIFICALLY REPLACING ORDINANCE NO. O-2010-57 IN ITS ENTIRETY, PRESCRIBING RATES TO BE CHARGED FOR SEWER SYSTEM SERVICES FURNISHED BY THE WATER OR WASTEWATER SYSTEM OWNED AND OPERATED BY THE CITY OF PHARR, PROVIDING FOR MODIFIED RATES FOR OUTSIDE AND ADJACENT TO THE CORPORATE LIMITS OF PHARR, REPEALING ALL ORDINANCES OR RESOLUTIONS RELATING TO SUCH, OR PARTS THEREOF, PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City owns and operates its own water and wastewater services for the citizens of Pharr and wishes to regulate the quality of such services for future development that may enter the corporate limits of Pharr; and

WHEREAS, the City no longer allows the use of septic tanks, cesspools, sumps, catch basins or cesspit or above or below ground, watertight tanks designed and constructed to receive and partially treat raw domestic sanitary wastewater; and

WHEREAS, it is in the best interest of the City of Pharr to regulate water and wastewater services now and in the future, and

WHEREAS, the City Commission of the City of Pharr wishes to clarify and set conditions under which municipal utility services may be provided in the ETJ prior to annexation in the corporate limits of Pharr; and

WHEREAS, the City Commission therefore desires to repeal and replace all ordinances in conflict with this ordinance and wishes to adopt the forthcoming herewith.

NOW THEREFORE, BE IT ORDANIED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:

SECTION 1: APPLICABILITY

This ordinance applies to the extension of water and wastewater services to property within the extraterritorial jurisdiction (ETJ) of the City of Pharr. The use of the term “services” in the ordinance shall mean city water and/or wastewater services on a retail or wholesale basis. Those properties that currently receive services shall be allowed to continue receiving services at the level that the property is receiving services on the effective date of this Ordinance.

SECTION 2: ANNEXATION REQUIRED

No property in the ETJ shall receive services until it is first annexed into the City limits, except as pursuant to SECTION 3 herein. A property owner requesting the extension of services to a property located in the ETJ shall first request, in writing, that the City annex the area proposed to be services and shall comply with, any and all requirements for annexation un the Texas Local Government Code, as amended, to authorize the City to annex the property. If the Board of Commissioners agrees to initiate proceedings on the requested annexation, such annexation shall be completed prior to the extension of City services to the property.

SECTION 3. CONDITIONS UNDER WHICH SERVIES MAY BE PROVIDED IN THE ETJ PRIOR TO ANNEXATION

The Board of Commissioners may determine, at its sole discretion, to provide services in the ETJ without first annexing the property upon: (i) compliance with the conditions set forth below; and (ii) a determination by the City Council that the provision of services is in the best interest of the City.

- (1) **Adequate capacity exists.** There is adequate capacity of City services available for the purpose of servicing residential and commercial users outside the City without impairing services within the City's service area. Whether such adequate capacity exists shall be determined solely by the Director of Engineering, and the determination of the director shall be final.
- (2) **Protection of resources.** The extension of services shall not lead to significant degradation of water quality or other environmental resources, or cause or have the potential to cause the City's non-compliance with any local, State, or federal regulations or statutes.
- (3) **Owners outside City limits to bear costs of service facilities and furnish easements.** The property owner requesting service shall be responsible for all costs relating to the design and construction of service facilities. The property owner shall also furnish suitable construction and permanent easements and rights-of-way for utility lines.
- (4) **Construction to conform to City standards.** All design and construction of service facilities shall be in accordance with City standards and specifications.
- (5) **New subdivisions to comply with City subdivision regulations.** New subdivisions recorded after the date of passage of this ordinance desiring services shall comply with the subdivision regulations of the City of Pharr, Texas, in effect at the time such new subdivision is approved.

- (6) **City to have right of review.** The City shall have the right to review and approve all plats and plans where service is to be provided. The property owner requesting the service shall pay for all reviews in accordance with the City of Pharr Code of Ordinances Fee Schedule, as amended.
- (7) **Water and sewer facility requirements.** Water service will not be provided to residential and commercial users who utilize private sewage facilities.
- (8) **Service lines to meet ultimate requirements of the City.** All service lines shall be sized to serve the ultimate requirements of the City.
- (9) **City may reimburse owner for oversized service lines.** Where the service lines required to meet the ultimate requirements for the City are larger than the total capacity required to serve the tract of land to be developed, the City may enter into a contract with the property owner constructing the service lines for reimbursement for the excess capacity.
- (10) **Extended service lines to be inspected by the City.** All service lines and facilities extending from existing City facilities to any tract of land outside the City limits requesting service shall be inspected by the City's Engineering Department. The property owner requesting the service shall pay for inspections in accordance with the City of Pharr Code of Ordinances, Appendix A, Fee Schedule, as amended.
- (11) **Wholesale service to another retail public utility.** Any provision of City services on a wholesale basis to another retail public utility in the City's ETJ will be governed by a separate wholesale service agreement approved by the City Council incorporating terms and conditions determined by the City Council to be in the best interest of the City. Expenses incurred by the City in the negotiation and execution of a wholesale service agreement shall be reimbursed by the property owner or retail public utility requesting the wholesale service.
- (12) **Development agreement.** The property owner shall enter into a development agreement with the City identifying specific design standards, use restrictions, connection of public infrastructure as deemed necessary by the City, commitment to allow annexation of the property and to comply with any and all requirements to facilitate the annexation under the **Texas Local Government Code**, and any other terms determined by the Board of Commissioners to be in the best interest of the City.

SECTION 4: That the monthly rates or charges for services furnished by the City of Pharr for Water and Wastewater to be as follows:

- A. For residential and commercial sewer service outside and/or adjacent to the city limits shall be one and one-half times (1 ½) the rate of service for inside city limits per 1000 gallons.
- B. For residential and commercial water service outside and/or adjacent to the city limits shall be one and one-half times (1 ½) the rate of service for inside city limits.

SECTION 5: UNLAWFUL OPERATIONS AND PROHIBITED ACTS.

It shall be unlawful for any person to intentionally or knowingly:

- A. Request the services without first complying with the provisions of this ordinance.
- B. Give false information to induce the in the attempt to gain service outside the city limits of Pharr.
- C. Give false information on applications for annexation in an attempt to gain service outside the city limits of Pharr.

SECTION 6. ENFORCEMENT; PENALTY FOR VIOLATION; INJUNCTION AND OTHER REMEDIES.

- (1) Any person, firm, corporation or entity violating this Ordinance shall be guilty of a Class C misdemeanor, and upon conviction, shall be punished by a fine not to exceed \$500.00 per occurrence. Each and every day such violation occurs or continues shall be deemed to constitute a separate offense.

SECTION 7: REPEAL AND REPLACEMENT OF CONFLICTING ORDINANCE(S)

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed and replaced with this ordinance.

SECTION 8: SEVERABILITY

The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part thereof.

SECTION 9: PUBLICATION; EFFECTIVE DATE

This Ordinance shall take effect after 10 calendar days after the 3rd and final passage the by a vote of not less than a majority of all the members of the Board of Commissioners and executed by the Mayor and City Clerk following not less than three (3) readings of the ordinance in accordance with the Pharr City Charter.

This Ordinance may be published, after passage, in one issue of the official paper.

SECTION 10: PROPER NOTICE AND MEETING.

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 5th day of December 2022.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ___ day of December, 2022.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE THIRD AND FINAL READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ___ day of December, 2022.

CITY OF PHARR

ATTEST:

AMBROSIO HERNANDEZ
MAYOR

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.C.

DATE SUBMITTED:

MEETING DATE: January 3, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Consideration and action, if any, on Development Services Cases:

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Issue:

Fiscal Consideration:

Staff Recommendation:

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Hilda Pedraza
Karla Saavedra
Patricia Rigney
City Management Office

Created -



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.C.1.

DATE SUBMITTED: December 28, 2022

MEETING DATE: January 3, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: 33 Construction and Energy, LLC., representing Norma D. Rodriguez Trejo, owner, has filed with the Planning and Zoning Commission a request for 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 0.97 acres, more or less, out of Lot 326, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 500 West Dicker Road. COZ#221169 **This item supports EV - Economic Vitality.**

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Issue: 33 Construction and Energy, LLC., representing Norma D. Rodriguez Trejo, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to General Business District (C).

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommends approval of the request to re-zone from Agricultural and or Open Space District (A-O) to General Business District (C) as the property meets area requirements, and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to recommend approval of the rezoning request from Agricultural and or Open Space District (A-O) to General Business District (C) at their meeting of December 27, 2022. There were four members present and voting.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney

Created/Initiated - 12/28/2022
Approved - 12/28/2022

Kimberly Mendoza
City Management Office

Approved - 12/29/2022
Final Approval - 12/29/2022



MEMORANDUM

DATE: TUESDAY, JANUARY 3, 2023

TO: MAYOR AND CITY COMMISSION

FROM: KIMBERLY MENDOZA, DEVELOPMENT SERVICES DIRECTOR

THROUGH: ANALI ALANIS, INTERIM CITY MANAGER

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to General Business District (C). The property is legally described as being 0.97 acres, more or less, out of Lot 326, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 500 West Dicker Road. COZ#221169

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

33 Construction and Energy, LLC., representing Norma D. Rodriguez Trejo, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from

Agricultural and/or Open Space District (A-O) to General Business District (C) in order to develop and construct storage facilities.

The subject property is located on the north side of West Dicker Road, approximately 0.33 miles west of South Cage Boulevard. This property is legally described as being 0.97 acres, more or less, out of Lot 326, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts West Dicker Road, a 120' – 150' principal arterial street that runs west and east with a posted speed limit of 40-55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O) since the property was annexed to the City of Pharr on December 15, 1987. The subject property and the properties to the east and west are zoned Agricultural and/or Open Space District (A-O). The property to the north was rezoned from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) on July 17, 2001. The property to the south is zoned General Business District (C). The property is generally designated for single family residential use in the Land Use Plan.

The General Business District (C) is established to provide adequate space and site diversification for most types of commercial development in the City of Pharr. Larger shopping centers and most existing commercial strips along major arterials would be included in this district. The noise, traffic, litter, late-night hours, and possible blighting influences require adequate buffering from residential areas, and the traffic from such uses should not pass-through residential areas, except on arterials or major collectors.

Twenty-seven (27) letters were mailed out to the surrounding property owners within a 200 ft. radius on December 9, 2022, and a legal notice was published in the Advance News Journal on December 7, 2022. Staff received one (1) response for information only.

The Planning and Zoning Commission voted unanimously to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C) subject to staff's recommendations at their meeting of December 27, 2022.

CITY COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

33 Construction and Energy, LLC., representing Norma D. Rodriguez Trejo, owner,
APPLICANT

Agricultural and/or Open Space District (A-O)
CURRENT ZONE

500 West Dicker
ADDRESS

General Business District (C)

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?	X	
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?		X
8 Will a buffer be required?	X	
9 Is the proposed change in line with the Future Land Use Plan?		X

STAFF RECOMMENDATIONS:

Approval

Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to General Business District (C) as the property meets area requirements, and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Laura Fonseca
PREPARED BY

December 21, 2022
DATE

Proposed Change of Zone
0.97 ac, out of Lot 329
33 Construction and Energy LLC.



The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

Zoning

ZONE

- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

- Townhouse
- HUD Code
- Rail Road R.O.W
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial

- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

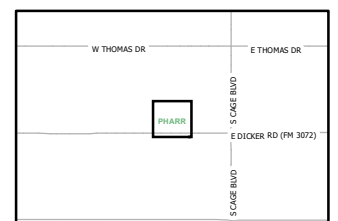
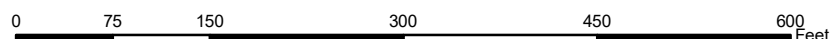
- 200 ft. Buffer Zone
- Notified Properties
- Subject Property

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

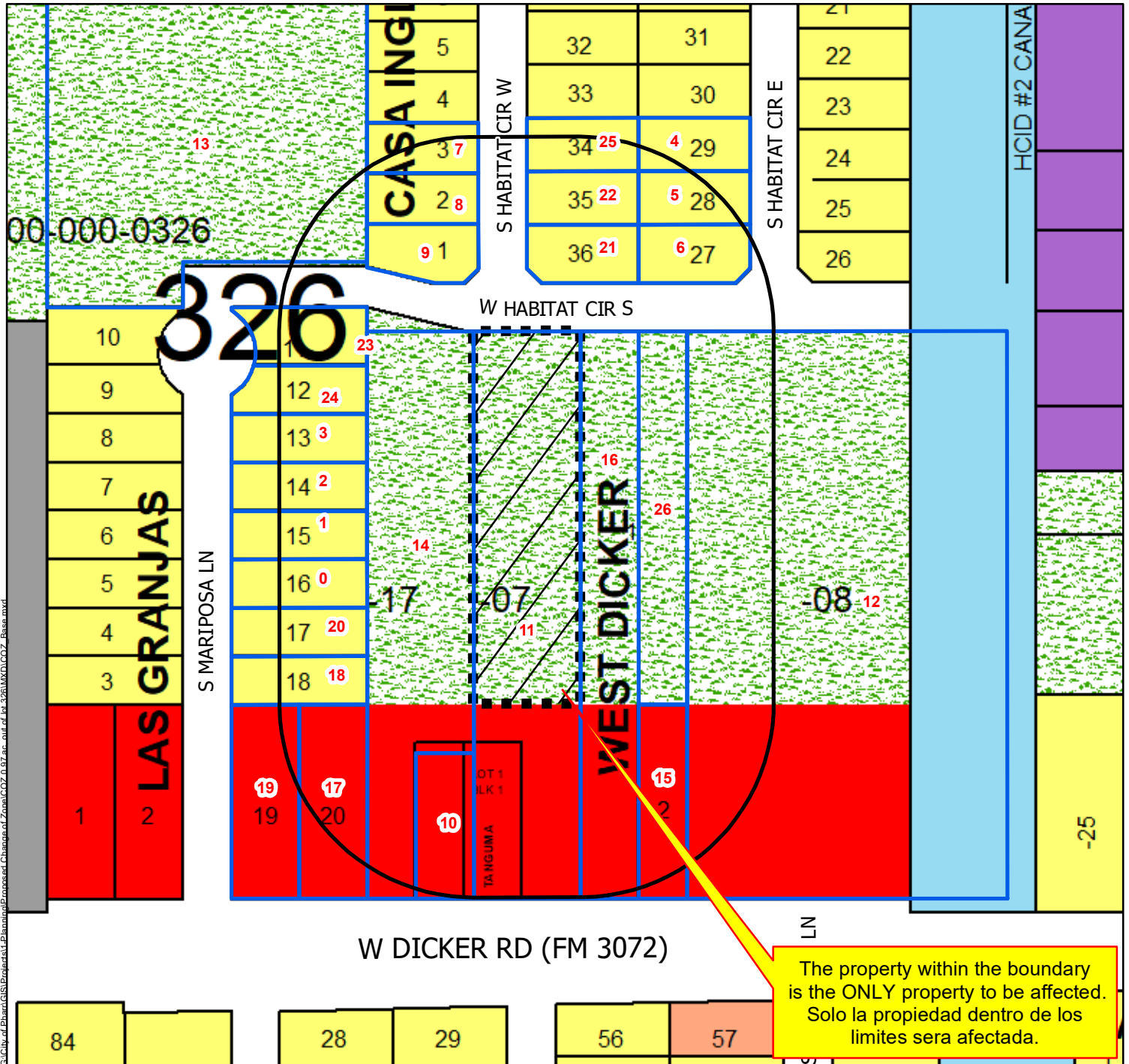
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 12/6/2022

Scale: 1 inch = 149 feet



Proposed Change of Zone
0.97 ac, out of Lot 329
33 Construction and Energy LLC.



The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

Zoning

ZONE

- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

Townhouse

HUD Code

Rail Road R.O.W

Government Owned

General Business

Business District

Drainage Easement

Heavy Commercial

Heavy Industrial

Limited Industrial

Neighborhood Commercial

Office Professional

PSJA ISD

Hidalgo ISD

Valley View ISD

Planned Unit Development

200 ft. Buffer Zone

Notified Properties

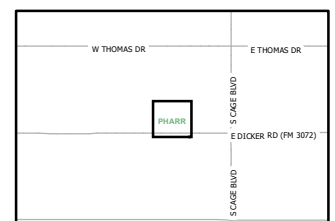
Subject Property

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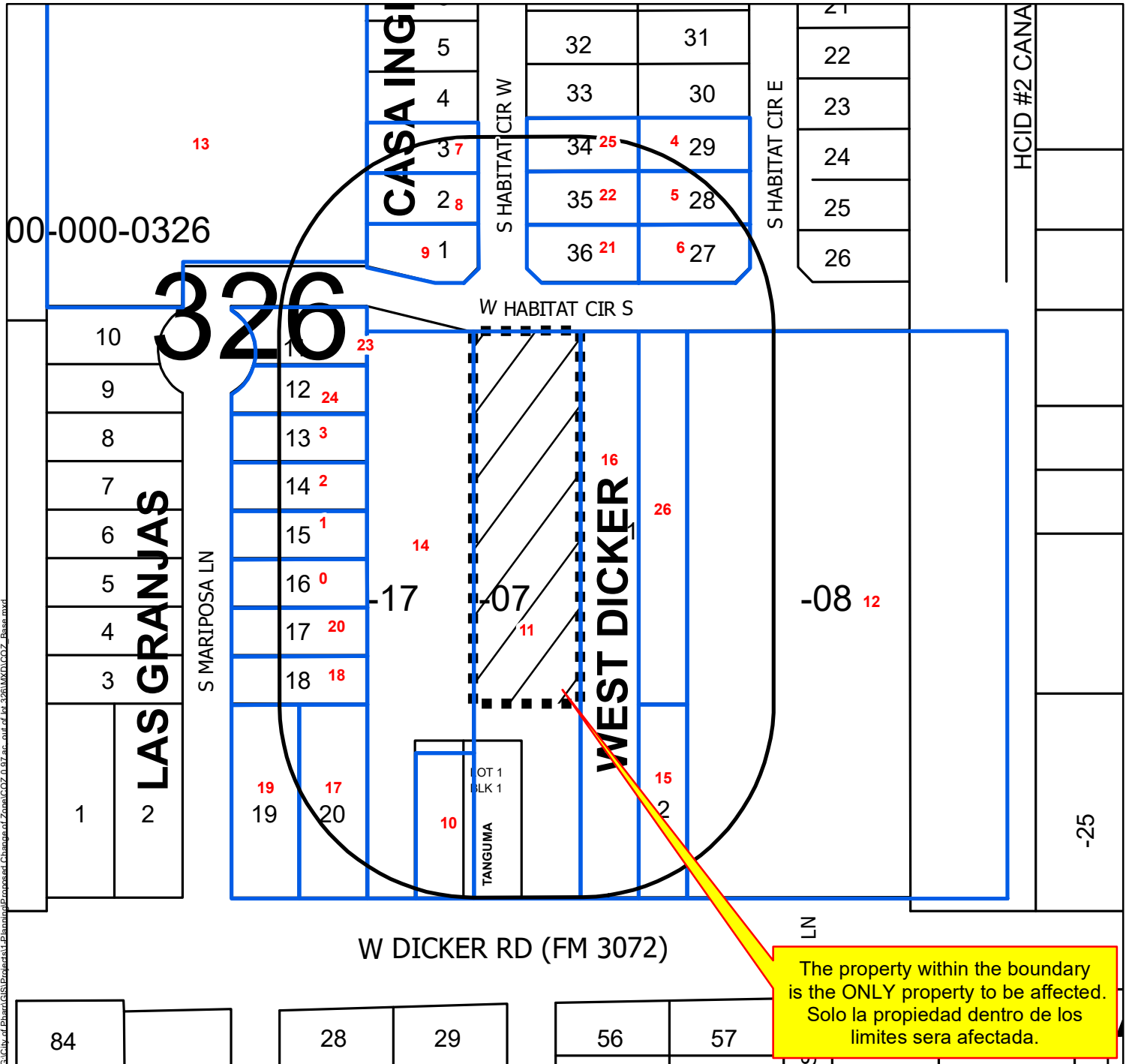
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 12/6/2022

Scale: 1 inch = 149 feet



Proposed Change of Zone
0.97 ac, out of Lot 329
33 Construction and Energy LLC.



The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

Zoning

ZONE

- Agricultural Open Space
- Single Family
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- HUD Code
- Rail Road R.O.W
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- Valley View ISD
- Planned Unit Development

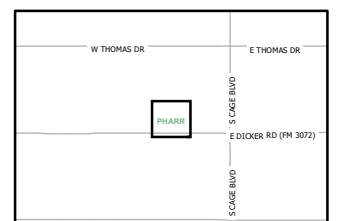
- 200 ft. Buffer Zone
- Notified Properties
- Subject Property

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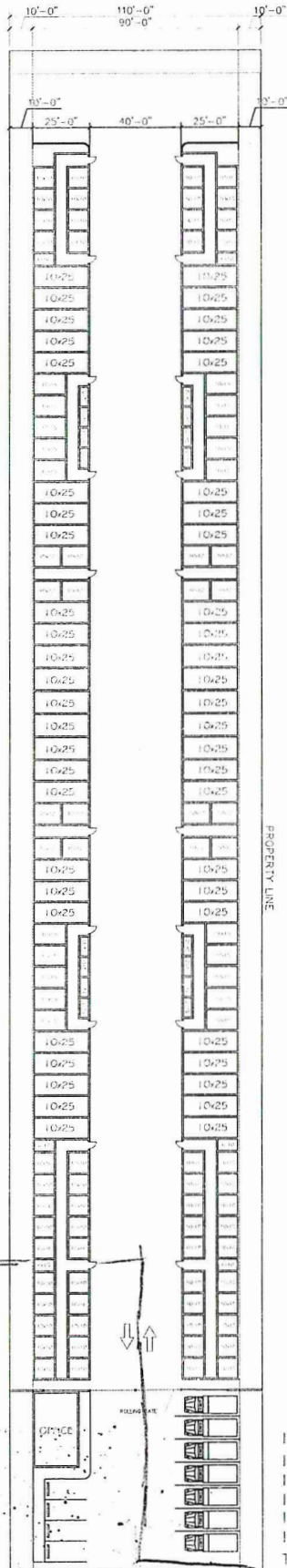
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 12/6/2022

Scale: 1 inch = 149 feet



422.60



- 10x25: 50 units
- 10x15: 20 units
- 10x12: 16 units
- 10x10: 56 units
- 10x6: 6 units
- 10x5: 16 units
- Total: 164 units

(200 x 110
existing
commercial)

1.667 ACRES OUT OF THE SOUTH
5.0 ACRES OF THE WEST 10.0 ACRES
OF THE EAST 20.0 ACRES OF LOT 326
KELLY PHARR SUBDIVISION, VOLUME 3,
PAGES 133 AND 134, DEED RECORDS
HIDALGO COUNTY, TEXAS

- NOTES:
1. BEARINGS ARE BASED ON THE RECORDED DEED AS SHOWN IN DOCUMENT NO. 2421515, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS AND REFERENCED TO THE MONUMENTED EAST BOUNDARY LINE.
2. THIS PROPERTY APPEARS TO LIE WITHIN ZONE "B" (AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD) ACCORDING TO THE COMMUNITY-PANEL NUMBER 480334-0500-B, EFFECTIVE DATE JANUARY 2, 1981. FLOOD ZONE IS DETERMINED BY GRAPHIC SCALING ONLY. SOUTHPPOINT TEXAS SURVEYING, LLC DOES NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS/ENCUMBRANCES OTHER THAN THOSE SHOWN MAY EXIST AND AFFECT THIS PROPERTY.
4. ORIGINAL SURVEYS ARE SIGNED AND SEALED IN BLUE INK. ALL OTHER COPIES ARE NULL AND VOID.
5. A METES & BOUNDS DESCRIPTION (22153MB.docx) OF EVEN DATE ACCOMPANIES THIS SURVEY EXHIBIT.

LEGEND	
	1/2" IRON ROD FOUND
	1/2" IRON ROD SET W/CAP STAMPED "SOUTHPOINT 5974"
	MAILBOX
	WATER METER
	POWER POLE
	STORM DRAIN MANHOLE
	METAL SHEET FENCE LINE
	CHAINLINK FENCE LINE
	HOG WIRE FENCE LINE
	METAL POLE FENCE LINE
	OVERHEAD ELECTRIC
	ZONED AGRICULTURE AS PER CITY OF PHARR ZONING MAP

I, R. MICHAEL WOOD, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT, SHOWS ALL IMPROVEMENTS LOCATED ON THE PROPERTY, WAS PREPARED USING INFORMATION OBTAINED BY AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND THAT THERE ARE NO ENCROACHMENTS, BOUNDARY CONFLICTS, PROTRUSIONS, OR VISIBLE OR APPARENT EASEMENTS, EXCEPT SHOWN HEREON.

R. MICHAEL WOOD, RPLS



8/3/2022

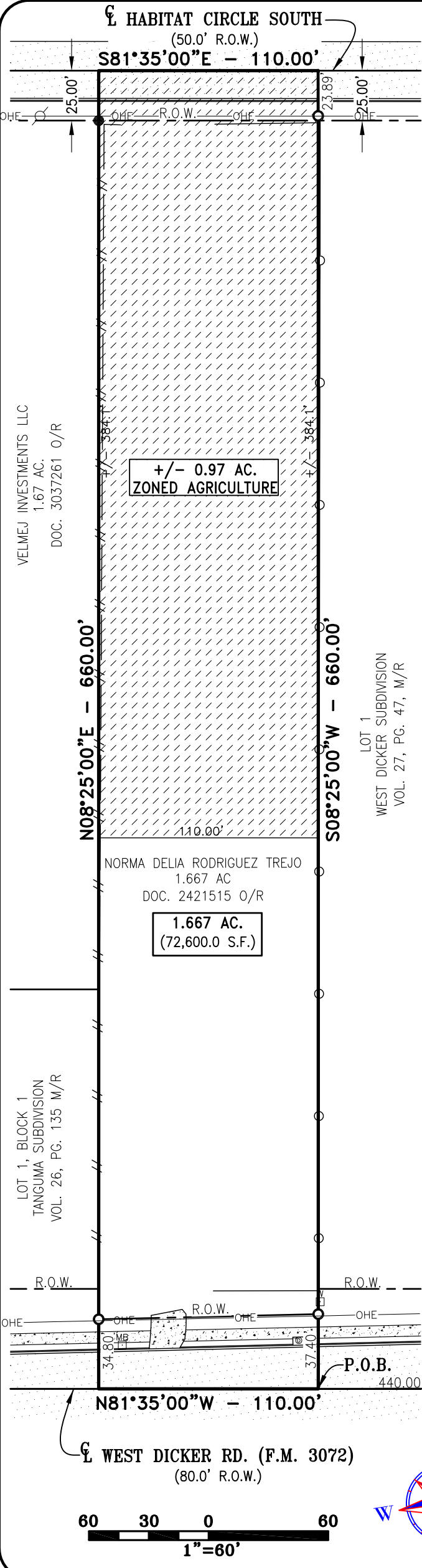


1409 N. Stuart Place Rd., Suite A (956) 245-1937
Harlingen, TX 78550 TBPLS Firm No. 10194358

PROJECT No. 22153

LOT 1, BLOCK 1
TANGUMA SUBDIVISION
VOL. 26, PG. 135 M/R

VELMEJ INVESTMENTS LLC
1.67 AC.
DOC. 3037261 O/R





AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.C.2.

DATE SUBMITTED: December 28, 2022

MEETING DATE: January 3, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: R. E. Garcia & Associates, representing Jene & Jonathan Byrom, owners, has filed with the Planning and Zoning Commission a request for 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 1.83 acres, more or less, out of Lot 249, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 - 1200 Block of West Javelina Drive. COZ#221168 **This item supports EV - Economic Vitality.**

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Issue: R. E. Garcia & Associates, representing Jene & Jonathan Byrom, owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1).

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommends approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1) as the property meets area requirements and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to recommend approval of the rezoning request from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1) at their meeting of December 27, 2022. There were four members present and voting.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney

Created/Initiated - 12/28/2022
Approved - 12/28/2022

Kimberly Mendoza
City Management Office

Approved - 12/29/2022
Final Approval - 12/29/2022



MEMORANDUM

DATE: TUESDAY, JANUARY 3, 2023

TO: MAYOR AND CITY COMMISSION

FROM: KIMBERLY MENDOZA, DEVELOPMENT SERVICES DIRECTOR

THROUGH: ANALI ALANIS, INTERIM CITY MANAGER

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1) being 1.83 acres, more or less, out of Lot 249, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000-1200 Block of West Javelina Dr. COZ#221168
--

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

R. E. Garcia & Associates, representing Jene & Jonathan Byrom, owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1) in order to develop and construct a single-family residence on one lot.

The subject site is located on the south side of West Javelina Drive and approximately 2,500 feet east of South Jackson Road. The property is legally described as being 1.83 acres, more or less, out of Lot 249, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000-1200 Block of West Javelina Drive.

The property fronts West Javelina Drive, an 80 ft. minor collector with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). The property and the properties to the west and a portion to the north and east were annexed on November 7, 2022. A portion of the city limits lie to the south and another portion to the north and east. There has been no other zoning request within the general vicinity of the subject property since that time. The property is generally designated for single family residential use in the Land Use Plan.

The Single-Family District is intended to be composed of single-family dwellings together with public, denominational and private schools, churches and public parks essential to create basic neighborhood units. Areas that are zoned for this use shall have water, wastewater, drainage and access to paved streets based on single-family usage. It is intended for areas that are properly buffered from nonresidential uses and protected from pollution and/or environmental hazards or from high volume of non-single-family traffic.

Five (5) letters were mailed out to the surrounding property owners on December 9, 2022, and a legal notice was published in the Advance News Journal on December 7, 2022. Staff received no response to the letters or the legal notice.

The Planning and Zoning Commission voted unanimously to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1) subject to staff's recommendations at their meeting of December 27, 2022.

CITY COMMISSION OPTIONS:

1. **Approve the rezoning request;**
2. **Table the item for:**
 - a) **consideration by the full board;**
 - b) **additional information;**
 - c) **additional time for applicant and adjacent property owners to meet;**
3. **Disapprove the request.**



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

R.E. Garcia & Associates
rep. Jene & Jonathan Byrom

APPLICANT

Agricultural and/or Open Space District
(A-O)

CURRENT ZONE

1000-1200 Block of West Javelina Drive

ADDRESS

Single Family Residential District (R-1)

PROPOSED ZONE

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?		X
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?		X
8 Will a buffer be required?		X
9 Is the proposed change in line with the Future Land Use Plan?	X	

STAFF RECOMMENDATIONS:

Approval

Development Services is recommending approval of the request to re-zone to Single Family Residential

District (R-1) as the property meets area requirements and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Anaisa Licerio, Planner II

PREPARED BY

December 21, 2022

DATE



The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

Zoning

ZONE

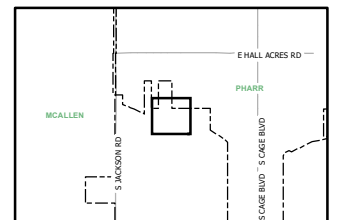
- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

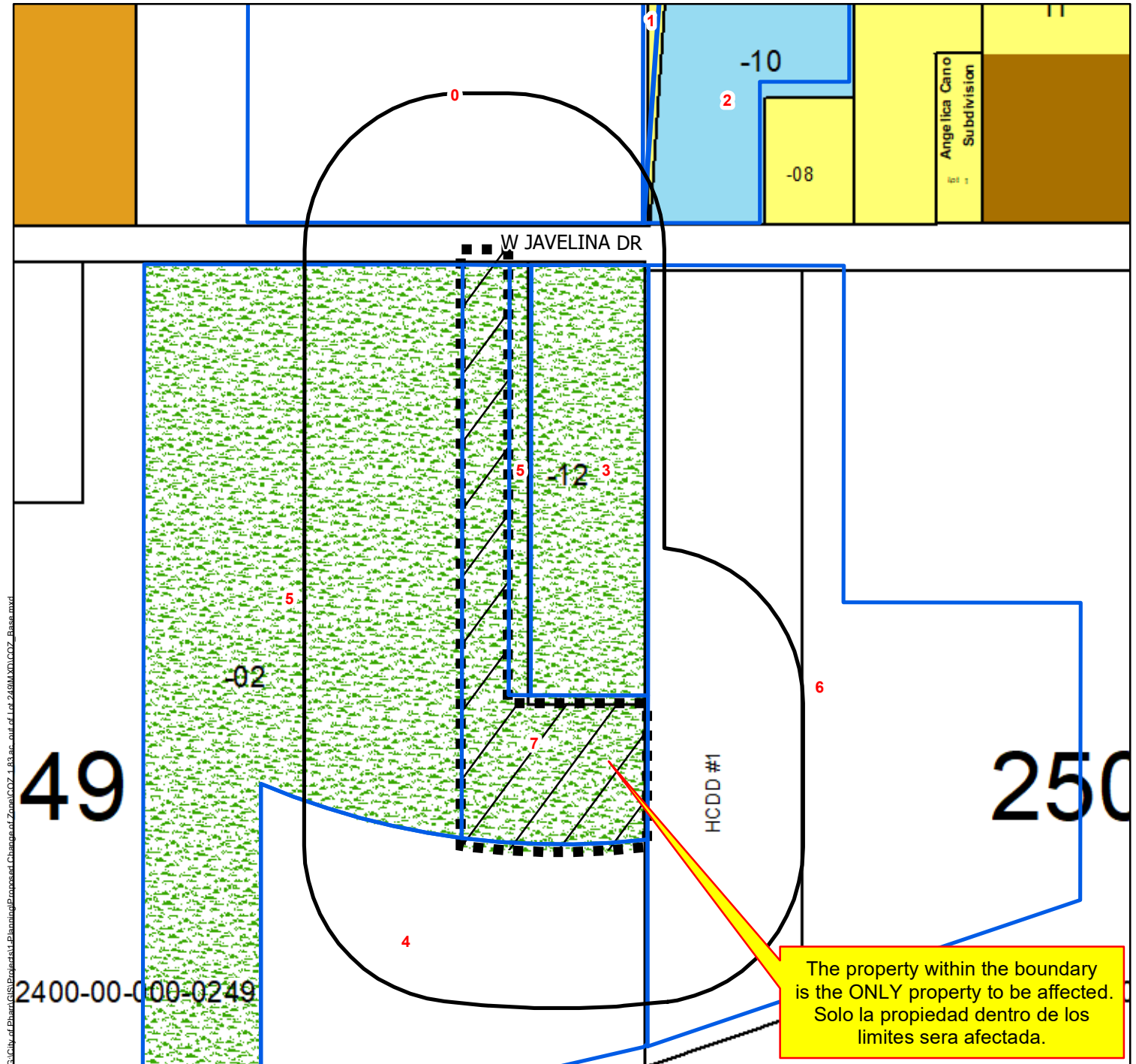
- Townhouse
- HUD Code
- Rail Road R.O.W
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial

- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

- 200 ft Buffer Zone
- Notified Properties
- Subject Property

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.





The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

Zoning

ZONE

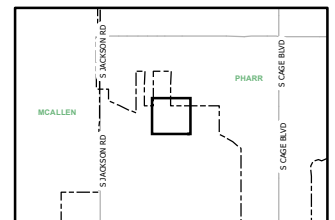
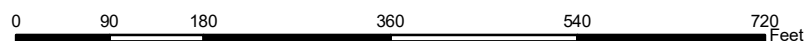
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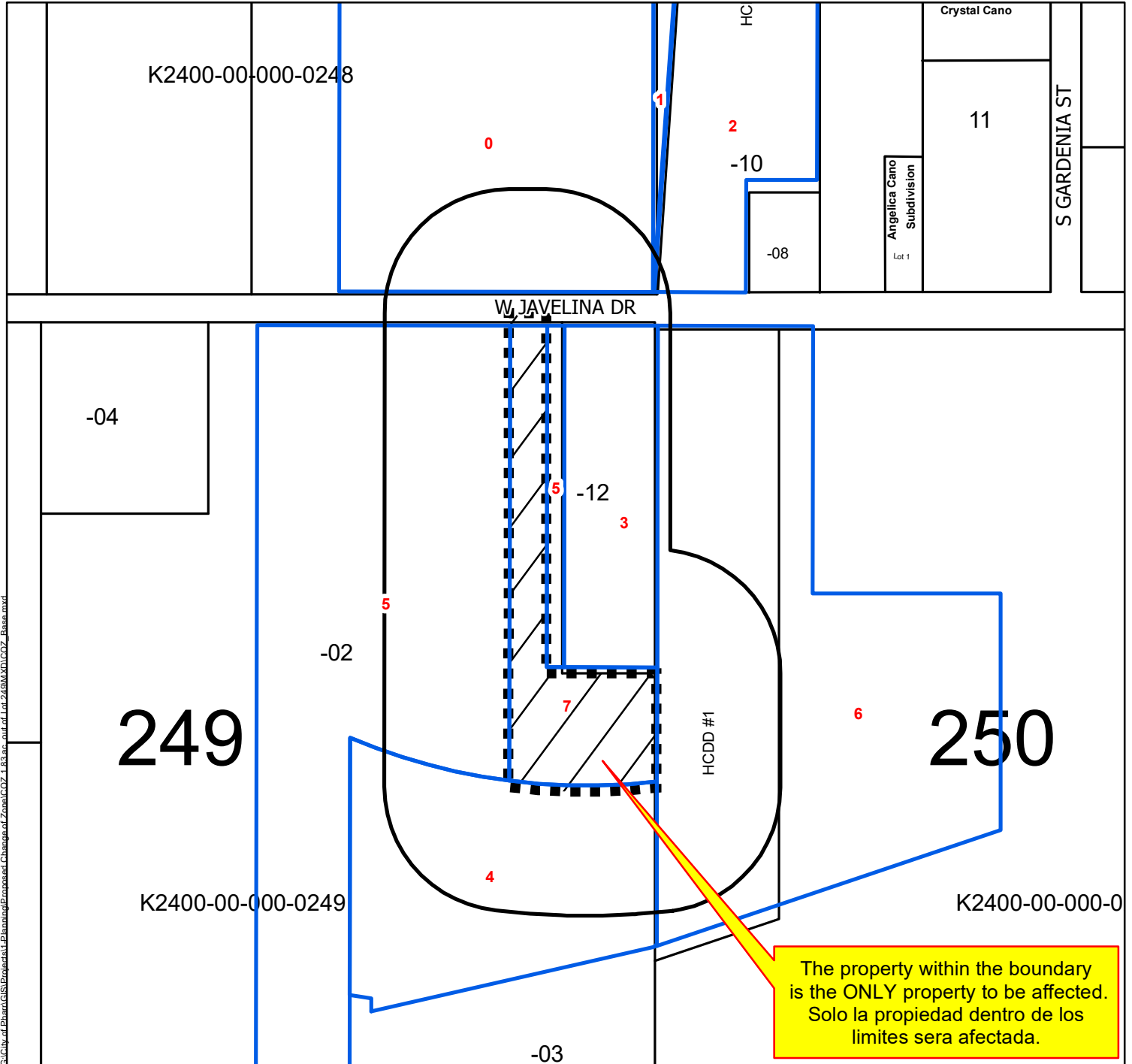
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Zoning

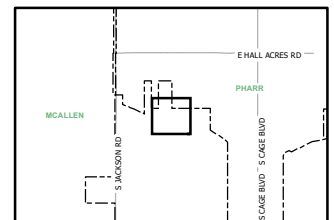
ZONE

- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

- Townhouse
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- Planned Unit Development

- 200 ft Buffer Zone
- Notified Properties
- Subject Property

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



builder :

Superior Homes Built with Integrity and Style



Off: (956) 973-5055
Fax: (956) 447-2404
P.O. Box 804
Weslaco, Texas 78599
berryhomes@rgv.rr.com

prepared for :

Byrom Residence

project legal description :

A 1.83 Acre Tract of land being a portion of lot 249, Kelly-Pharr Subdivision, as recorded in Volume 3, Page 133, Deed Records, Hidalgo County, Texas, Also being a portion of that certain tract described in warranty deed with vendor's lien recorded in Volume 1474, Page 713, Deed Records, Hidalgo County, Texas.

INDEX OF DRAWINGS

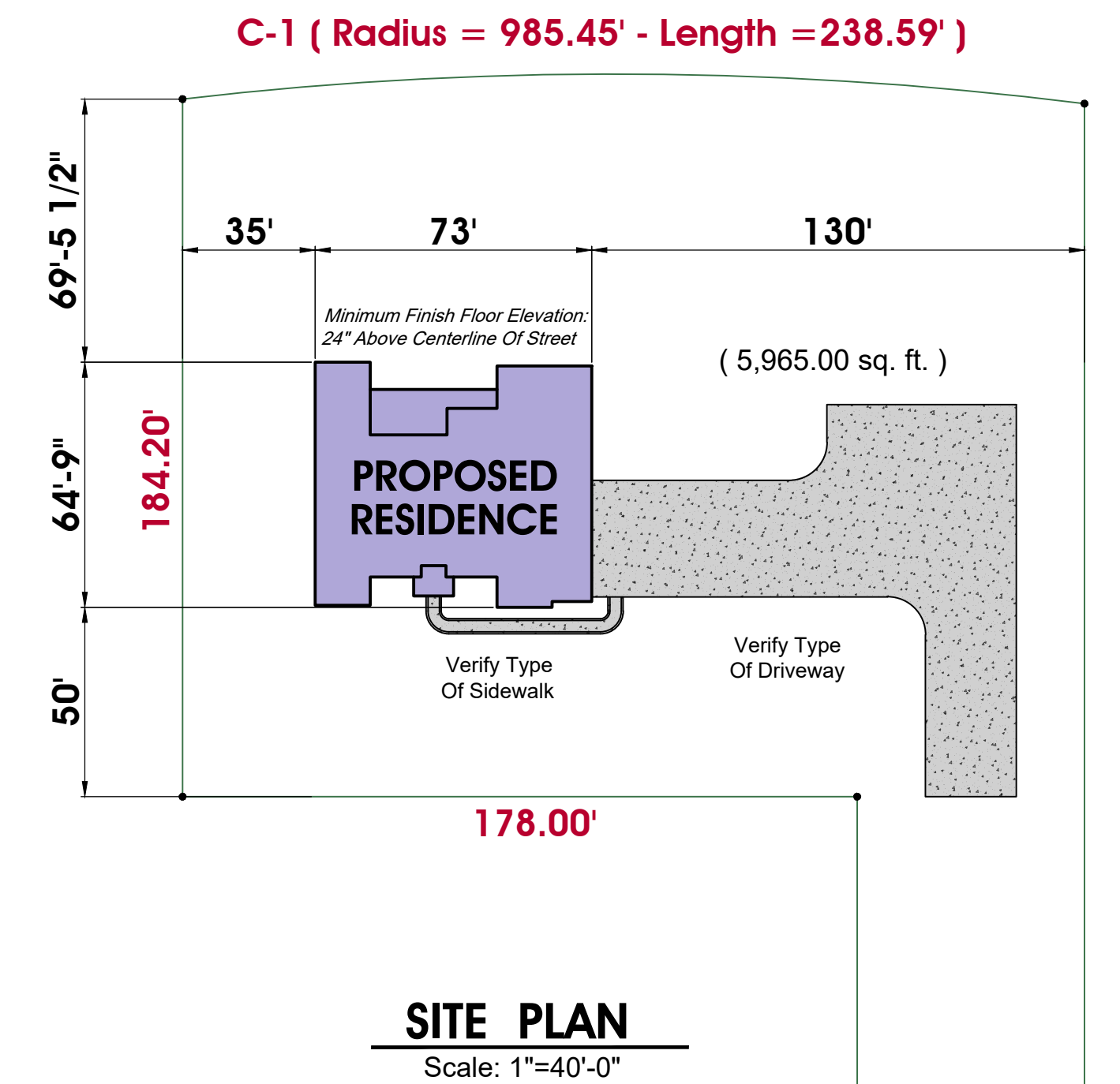
- CVR** - Cover Page - Concept Renders
Site Plan - Roof Plan
- F-1** - Floor Plan & Bonus Room
Wall Section Details
- E-1** - Electrical Plan
Bonus Room Electrical
- EV-1** - Exterior Elevations
Roof Plan
- S-1** - Foundation Plan
Foundation Section Details

AREAS	
Living Area	3,165.00'
Garage Area	670.00'
Patio Area	310.00'
Porch Area	70.00'
Bonus Area	285.00'
Total Area	4,500.00'



CONCEPT FRONT ELEVATION Scale : 1/4"=1'-0"

- Note:
- 1.) Verify All Door & Window Size, Type & Location W/ Home Owner & Contractor
 - 2.) Artwork & Landscaping For Illustrative Purposes Only



Builder Notice

To the best of our knowledge these plans are drawn to comply with owner's and/or builders specifications and any changes made on them after prints are completed will be done at the owner's and/or builders expense and responsibility. The contractor shall verify all dimensions and enclosed drawing. J & I Designs is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible thereafter.

Builder:

1022 E. Tyler Suite #3
Harlingen, Texas 78550
Office: (956) 425-6604
E-mail: jandidesigns@att.net
Javier Martinez (956) 345-5151
Ignacio Martinez (956) 245-7106


J & I DESIGNS
Innovative. Distinctive Designs. Unmatched Expertise

The Byrom Family

Project Information:
1.83 Acre Tract Kelly Pharr Subdivision
Pharr, TX - Hidalgo County

Prepared For:

Date: 11-23-2022

Plan Number: W-LA-4215-2022

Sheet: 1 Of: 5

CVR



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.A.

DATE SUBMITTED: December 21, 2022

MEETING DATE: January 3, 2023

FROM: Elva Guajardo, Administrative Assistant

DEPARTMENT: Parks

DIRECTOR: Sergio Alanis

Agenda Item: Consideration and action, if any, on Resolution appointing two (2) members to the Keep Pharr Beautiful Committee.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: The City Commission approved an increase from five to seven board members in the Keep Pharr Beautiful Advisory Board. The board is nominating Romeo Cantu and Marisa Oliva.

Fiscal Consideration: N/A

Staff Recommendation: The City Commission approve the above-mentioned board members to the Keep Pharr Beautiful Committee.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Elva Guajardo
Sergio Alanis
City Management Office

Created/Initiated - 12/21/2022
Approved - 12/29/2022
Final Approval - 12/29/2022

THE STATE OF TEXAS §
COUNTY OF HIDALGO § **RESOLUTION**
CITY OF PHARR § **NO. R-2023-__**

WHEREAS, Ordinance No. O-76-09 created the Beautification Committee consisting of not more than five (5) members whose terms of service shall be staggered. Two (2) one (1) year term; two (2) two (2) year term; and one (1) three (3) year term; and

WHEREAS, Ordinance No. O-2022-12 increased the membership from five (5) to seven (7) members and whose terms of service shall be staggered. Three (3) one (1) year members; Three (3) two (2) year members; and one (1) three (3) year member; and

WHEREAS, appointment of two (2) members needs to be made at this time; and such members shall perform duties as may be prescribed by ordinance or state law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS:

That the following persons are hereby appointed/re-appointed as members of the Beautification Committee.

NAME:	LENGTH OF TERM:
1. _____	1 Year (expiring on Jan. 3, 2024)
2. _____	1 Year (expiring on Jan. 3, 2024)

READ, PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 3rd day of January, 2023.

CITY OF PHARR

AMBROSIO HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.B.

DATE SUBMITTED: December 28, 2022

MEETING DATE: January 3, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Consideration and action, if any, on a Resolution Amending Resolution R-2022-48, accepting the Petition for Voluntary Annexation, setting date, time and place for public hearing, authorizing and directing publication of the notice of such public hearing, and directing the City Manager to prepare service plan for 17.425 acres of land, more or less, located at the northeast corner of South Veterans Boulevard and East Military Highway, in the City of Pharr's Extraterritorial Jurisdiction (ETJ), Hidalgo County, Texas. **This item supports EV - Economic Vitality.**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: This is amending Resolution R-2022-48 to formally accept the Petition for Voluntary Annexation for approximately 17.425 acres of land located at the northeast corner of South Veterans Boulevard and East Military Highway.

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommends approval.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza
City Management Office

Created/Initiated - 12/28/2022
Approved - 12/28/2022
Approved - 12/29/2022
Final Approval - 12/29/2022

RESOLUTION NO. R-2023-__

STATE OF TEXAS	§
COUNTY OF HIDALGO	§
CITY OF PHARR	§

A RESOLUTION AMENDING RESOLUTION R-2022-48, ACCEPTING THE PETITION FOR ANNEXATION OF 17.425 ACRES OF LAND, MORE OR LESS, GENERALLY LOCATED ON THE NORTH EAST CORNER OF SOUTH VETERANS BOULEVARD AND EAST MILITARY HWY (281), IN THE CITY OF PHARR'S EXTRATERRITORIAL JURISDICTION (ETJ) IN HIDALGO COUNTY, TEXAS, LYING ADJACENT OR CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF PHARR; SETTING DATE, TIME, AND PLACE FOR PUBLIC HEARING, AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO PREPARE A SERVICE PLAN; AND DECLARATION OF THE CITY OF PHARR'S EXTRA-TERRITORIAL JURISDICTION; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, the owner(s) of certain property located within Hidalgo County, Texas has petitioned the City of Pharr, Texas (herein the "City"), a home-rule City, for annexation of said property, more particularly described herein (the "subject property"), into the City limits;

WHEREAS, the subject property is contiguous and adjacent to the corporate limits of the City and the owners have submitted petitions for annexation;

WHEREAS, after review and consideration of such requests and petition of the owner of the subject property for annexation, the City Commission finds that the subject property may be annexed pursuant to § 43.0671 of the Texas Local Government Code; and

WHEREAS, the petitioner has agreed and consented to the annexation of the subject property by the City and further agreed to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

***NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, THAT:***

SECTION 1. ACCEPTANCE OF PETITIONS, MAPS AND OTHER PERTINENT INFORMATION.

- A. In accordance with Section 42.022(b) of the Texas Local Government Code, it is the law of this State that the extraterritorial jurisdiction ("ETJ") of a municipality may expand beyond the distance limitations imposed by Section 42.021 of the Texas Local Government Code to include an area contiguous to the otherwise existing ETJ of the municipality if the owners of the area request the expansion in accordance with Section

43.0671 of the Texas Local Government Code. The City of Pharr hereby approves, adopts, and accepts the petitions, deeds, and other exhibits and materials.

- B. The ETJ of the City of Pharr, Texas was 3 ½ miles prior to December 18, 2012. As a reaffirmation and independent approval hereto, the City of Pharr declares the ETJ as described and displayed on the map attached hereto described as Exhibit “D”

SECTION 2. PROCEEDINGS.

- A. The petitions of annexation of the subject property, including the abutting streets, roadways, and rights of way, not previously annexed into the City and the draft service plan shown in Exhibit “B”, are hereby accepted:

All that certain area of land being 17.425 acres, more or less, generally located on the northeast corner of South Veterans Boulevard and East Military HWY (281), in the City of Pharr’s Extraterritorial Jurisdiction (ETJ), in Hidalgo County, Texas.

- B. On January 16, 2023, at 4:00 PM in the City Hall, Commissioners’ Room, 118 S. Cage Blvd, Pharr, Texas, the City of Pharr will hold one (1) statutory public hearing as described in Exhibit “C”, giving all interested persons the right to appear and be heard on the proposed annexation by the City of Pharr of the Property described in Exhibit “A”.

SECTION 3. SAVINGS CLAUSE.

Except as hereby resolved, any other directives or actions of the City of Pharr, not in conflict with this Resolution, shall remain in full force and effect, unimpaired hereby.

SECTION 4. SEVERABILITY CLAUSE.

The invalidity of any section, clause, sentence or provision of this Resolution shall not affect the validity of any other part thereof. The effects of this Resolution shall at all times be in compliance with state, federal, and other guidelines as directed.

SECTION 5. EFFECTIVE DATE.

This Resolution shall take effect immediately upon passage by the members of the Board of Commissioners of the City of Pharr.

SECTION 6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, ON THIS THE _____ DAY OF JANUARY 2023.

CITY OF PHARR

AMBROSIO HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



Pharr

Development Services



VOLUNTARY ANNEXATION PETITION APPLICATION AND CHECKLIST

Name of Applicant: Blu-Man Investments LLC

Date of Submittal: August 22, 2022

Proposed Acreage to be Annexed: 17.425 Acres

APPLICATION COMPLETENESS CERTIFICATION

REQUIRED DOCUMENTS	PROVIDED
Completed and Signed Application/Checklist	☒
Completed annexation petition with each owner's original signature. Must include all owners' signatures if there are multiple owners of record.	☒
A copy of the deed showing current ownership.	☒
A clear and legible copy of certified field notes (metes and bounds) describing the boundary of the property that is being petitioned for annexation with a graphic exhibit (map or plat) clearly showing the property. The boundary description and the graphic exhibit must each be contained on a 8 1/2" x 11" sheet of paper. If the property is a subdivided lot, please submit a copy of the recorded subdivision plat.	☒
If applicable, water and wastewater utilities agreement between City and applicant for extension of utilities.	☐ N/A

INSTRUCTIONS

Fill out and submit an electronic copy of the completed application package and all subsequent documentation and updates to planning@pharr-tx.gov and provide one (1) hard copy to Development Services, Planning and Zoning Division, 118 S Cage Blvd., Pharr, Texas 78577.

Property Address: **NEC of East Military Rd & S Veterans Rd. Pharr TX 78577**

Subdivision Name: Closer Subdivision Lot(s): 6 & 7 Block(s): Porcion 71

Current Land Use: Agricultural

Proposed Land Use and Purpose of Annexation: Industrial (Trailer Parking Facility)

[illegible]

OWNER INFORMATION – Please fill out a separate sheet for each owner of record

Owner(s) Name: Blu-Man Investments LLC

If the property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.

Address: 24523 Cliff Line City: San Antonio State: TX Zip Code: 78257
Phone No.: _____ Cell Phone No.: 956/500-1117 Email: dluevano@logiicorplogisticsgroup.com
Owner's Signature: [Signature] Date: 08/22/2022

AGENT/APPLICATION AUTHORIZATION – Please check one of the following:

- ☐ I will represent my petition before the city staff and the Board of Commissioners of the City of Pharr
- ☒ I hereby authorize the person named below to act as my agent/applicant in representing this application before the city staff and the Board of Commissioners of the City of Pharr.

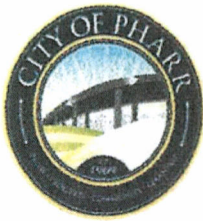
Note: The agent/applicant is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent/applicant. If no agent is listed, the owner will be considered the agent.

Agent/Applicant's Name: Emigdio "Milo" Salinas, P.E.
Company's Name (if applicable): M2 Engineering
Address: 1810 E Griffin Pkwy City: Mission State: TX Zip Code: 78572
Phone No.: 956 600-8628 Cell Phone No.: 956 227-5327 Email: milo@m2-engineers.com

If an agent/applicant is representing the owner of the property, please complete the following information:

I hereby authorize the person named above to act as my agent/applicant in processing the application before the Board of Commissioners of the City of Pharr:

Owner's Printed Name: Jorge A Adrade
Owner's Signature: [Signature] Date: 08/22/2022



Pharr

Development Services



VOLUNTARY ANNEXATION PETITION (C-3)

I, Jorge A Andrade, owner of the land described below, hereby voluntary petition the Board of Commissioners of the City of Pharr, Texas to annex the property and extend the present city limits and extraterritorial jurisdiction so as to include as part of the City of Pharr, Texas, the Property, containing approximately 17.45 acres of land, described as follows:

(Legal description of Property, Exhibit A, attached hereto)

I desire to enter into a written agreement for municipal services with the City of Pharr, pursuant to Section 43.0672 of the Local Government Code. If any portion of the Property is appraised for ad valorem tax purposes as agricultural, wildlife management use or timber land under Chapter 23 of the Tax Code, I certify that I was offered a development agreement pursuant to Section 43.016 of the Local Government Code and still requested annexation.

I certify that the above-described Property is contiguous and adjacent to the City of Pharr, Texas and that this petition is signed and duly acknowledged by each and every person, corporation, or entity having an ownership interest in said Property.

OWNER(S): (add additional signature lines for each owner)

Print Name (Owner) Jorge A Andrade

Signature (Owner)

[Handwritten signature of Jorge A Andrade]

Print Name (Owner)

Signature (Owner)

NOTARY ACKNOWLEDGEMENT

STATE OF TEXAS

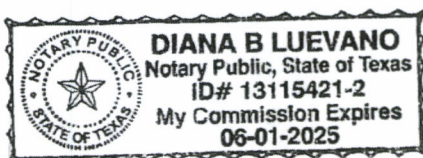
§

COUNTY OF Hidalgo

§

BEFORE ME, the undersigned authority, on this day personally appeared Jorge A Andrade, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of the Owner.

Given under my hand and seal office this 22 day of August, 2022.



[Handwritten signature of Diana B Luevano]
NOTARY PUBLIC in and for the
STATE OF TEXAS

Diana Luevano

Printed Name

My commission expires: 06/01/25

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Date: March 10, 2022

Grantor: ROCIO ISABEL LLANOS COLLADO, not joined herein by my spouse as the property being conveyed herein does not constitute any part of our homestead
Grantor's Mailing Address (including county): Via Latina 121 B, Colonia Fuentes Del Valle
San Pedro Garza Garcia, Nuevo Leon,
Mexico CP 66220

Grantee: BLU-MAN INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY
Grantee's Mailing Address (including county): 24523 Cliff Line
San Antonio, TX 78257

Consideration: Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

A tract of land containing 17.425 acres situated in the City of Pharr, County of Hidalgo, Texas, out of Lot 6 and Lot 7, out of the Re-subdivision of Closner Subdivision, in Porcion 71, Hidalgo County, Texas, according to plat thereof recorded in Volume 1, Page 56A. Hidalgo County Map Records, which said 17.425 acres being out of 21 acres conveyed to Rocio Isabel Llanos Collado, by virtue of a Warranty Deed recoded under Document Number 2115854, Hidalgo County Official Records, further described in Right-of-Way Deeds recorded under Document Number 1263889, Hidalgo County Official Records and Document Number 2225639, Hidalgo County Official Records, said 17.425 acres also being more particularly describe by metes and bounds as follows:

COMMENCING at the Northwest corner of said Lot 6, said point being on the centerline of South Veterans Road - South "I" Road;

THENCE, South 81 degrees 27 minutes 56 seconds East, along the North line of said Lot 6, a distance of 60.00 feet to the East right-of-way line of South Veterans Road - South "I" Road;

THENCE, South 08 degrees 36 minutes 04 minutes West, along the East right-of-way line of South Veterans Road-South "I" Road, a distance of 82.40 feet to a No. 4 rebar set, for the POINT OF BEGINNING, and the Northwest corner of this herein described tract;

THENCE, South 81 degrees 27 minutes 12 seconds East, along the South line of a certain tract of land conveyed to the County of Hidalgo, by virtue of a Warranty Deed recorded under Document Number 2225639, Hidalgo County Official Records, a distance of 710.96 feet to a No. 4 rebar set for the Northeast corner of this tract;

THENCE, South 08 degrees 32 minutes 52 seconds West, a distance of 39.60 feet to a No. 4 rebar set on the North line of a certain tract of land conveyed to Francisco Velazquez, by virtue of a Warranty Deed with Vendor's Lien recorded under Document Number 1574926, Hidalgo County Official Records, for an outside corner of this tract;

THENCE, North 81 degrees 23 minutes 42 seconds West, along said Francisco Velazquez tract, a distance of 192.86 feet to a No. 4 rebar set, from which a No. 4 rebar found bears South 89 degrees 42 minutes 07 seconds West, a distance of 5.31 feet, for an inside corner of this tract;

THENCE, South 08 degrees 31 minutes 43 seconds West, along the West line of said Francisco Velazquez tract, a distance of 1,387.40 feet to a No. 4 rebar set on the North right-of-way line of U.S. Business 281 - Military Highway, from which a No. 4 rebar found bears South 07 degrees 16 minutes 09 seconds East, a distance of 1.49 feet, for the Southeast corner of this tract;

THENCE, North 84 degrees 10 minutes 30 seconds West, along the North right-of-way line of U.S. Business 281 Military Highway, a distance of 480.81 feet to a No. 4 rebar set on the cutback corner, for an outside corner of this tract;

THENCE, North 36 degrees 25 minutes 12 seconds West, along the cutback corner, a distance of 70.60 feet to a No. 4 rebar found on the East right-of-way line of South Veterans Road - South "I" Road, for an outside corner of this tract;

THENCE, North 08 degrees 36 minutes 48 seconds East, along the East right-of-way line of South Veterans Road South "I" Road, a distance of 225.05 feet to a No. 4 rebar set, for a point of tangent of this tract;

THENCE, in a Northeasterly direction along a curve to the right, with a Central Angle of 01 degrees 39 minutes 57 seconds, a Radius of 7,589.00 feet, an Arc Length of 220.64 feet a Tangent of 110.33 feet, and a Chord that bears North 09 degrees 26 minutes 46 seconds East, a distance of 220.63 feet to a No. 4 rebar set, from which a No. 4 rebar found bears North 80 degrees 24 minutes 54 seconds West, a distance of 0.90 feet, for a point of tangent of this tract;

THENCE, North 10 degrees 16 minutes 45 seconds East, continuing along the East right-of-way line of South Veterans Road - South "I" Road, a distance of 121.90 feet to a No. 4 rebar set, for a point of tangent of this tract;

THENCE, in a Northeasterly direction along a curve to the left, with a Central Angle of 01 degrees 39 minutes 57 seconds, a Radius of 7,689.00 feet, an Arc Length of 223.55 feet, a Tangent of 111.78 feet, and a Chord that bears North 09 degrees 26 minutes 46 seconds East, a distance of 223.54 feet along the East right-of-way line of South Veterans Road - South "I" Road to a No. 4 rebar found, for a point of tangent of this tract;

THENCE, North 08 degrees 36 minutes 48 seconds East, along the East right-of-way line of South Veterans Road South "I" Road a distance of 608.68 feet, to the POINT OF BEGINNING and containing 17.425 acres of land, more or less.

Reservations from Conveyance and Exceptions to Conveyance and Warranty:

Mineral and/or royalty grant and/or reservation in instruments dated February 5, 1941, recorded in Volume 476, Page 570, Deed Records; dated August 31, 1948, recorded in Volume 645, Page 348, Deed Records; dated February 20, 1975, recorded in Volume 1441, Page 171, Deed Records, and dated September 29, 1976, recorded in Volume 1502, Page 307, Deed Records, Hidalgo County, Texas, and subsequent transfers thereof.

Mineral and/or royalty grant and/or reservation in instruments dated October 31, 2003, recorded under Clerk's File No. 1263889, Official Records, and dated November 1, 2011, recorded under Clerk's File No. 2257361, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas, and Mineral Leases dated May 3, 1948, recorded in Volume 87, Page 91, Oil and Gas Records; dated September 23, 1971, recorded in Volume 341, Page 486, Oil and Gas Records; dated November 15, 1977, recorded in Volume 370, Page 992, Oil and Gas Records; dated November 15, 1977, recorded in Volume 371, Page 91, Oil and Gas Records; and dated January 16, 1978, recorded in Volume 372, Page 18, Oil and Gas Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas and Mineral Lease(s) dated January 2, 1985, recorded in Volume 2093, Page 459, Official Records; dated January 2, 1985, recorded in Volume 2093, Page 461, Official Records; dated May 20, 1985, recorded in Volume 2176, Page 264, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas, and Mineral Leases dated January 3, 1996, recorded under Clerk's File No. 504044, Official Records; dated January 3, 1996, recorded under Clerk's File No. 504045, Official Records; dated June 27, 2001, recorded under Clerk's File No. 992088, Official Records, and dated June 27, 2001, recorded under Clerk's File No. 992089, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas and Mineral Lease(s) dated November 19, 2009, recorded under Clerk's File No. 2055039, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges and immunities relating thereto, appearing in the Public Records whether listed herein or not.

Right of Way Deed dated June 20, 1934, recorded in Volume 389, Page 208, Deed Records, Hidalgo County, Texas.

Right of Way Deed dated October 31, 2003, recorded under Clerk's File No. 1263889, Official Records, Hidalgo County, Texas.

Easement dated August 10, 2009, recorded under Clerk's File No. 2022511, Official Records, Hidalgo County, Texas.

Easement and/or other rights, if any, as set forth in Deed dated February 14, 1919, recorded in Volume 19, Page 337, Deed Records, Hidalgo County, Texas.

Subject to any portion of the land within the limits or boundaries of any public or private roadway and/or highway and the rights of the public thereto.

Subject to any portion of the land described herein lying within canal right of way.

Easements, rules, regulations and rights in favor of HIDALGO COUNTY IRRIGATION DISTRICT NO. 2.

All right, title and interest, including but not limited to fee simple title, owned or claimed to be owned by HIDALGO COUNTY IRRIGATION DISTRICT NO. 2.

Taxes for the year 2022 and subsequent years.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

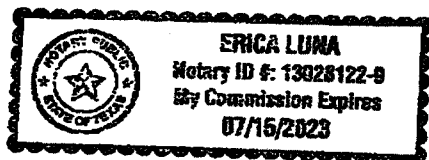


ROCIO ISABEL LLANOS COLLADO

(Acknowledgment)

STATE OF TEXAS
COUNTY OF Hidalgo

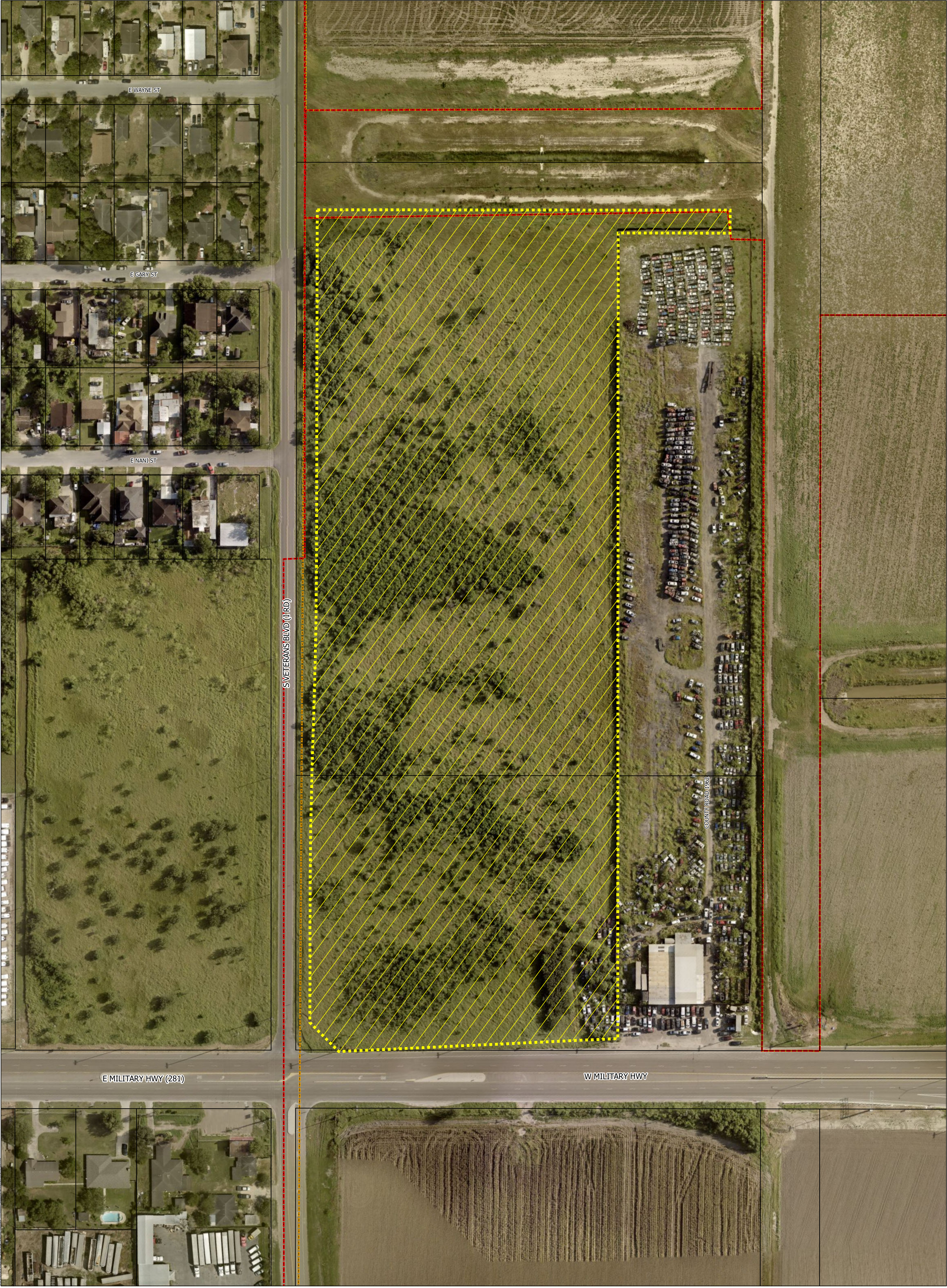
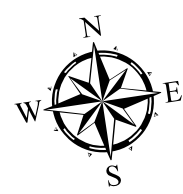
This instrument was acknowledged before me on the 18th of March,
2022, by ROCIO ISABEL LLANOS COLLADO.



Erica Luna
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
BLU-MAN INVESTMENTS, LLC,
A TEXAS LIMITED LIABILITY COMPANY

PREPARED BY:
LEWIS PEÑA FALCON & COOK
Attorneys At Law
3111 W. Freddy Gonzalez Drive
Edinburg, Texas 78539
GF#: 941100; EL:lc



 Pharr City Limit
 Pharr ETJ

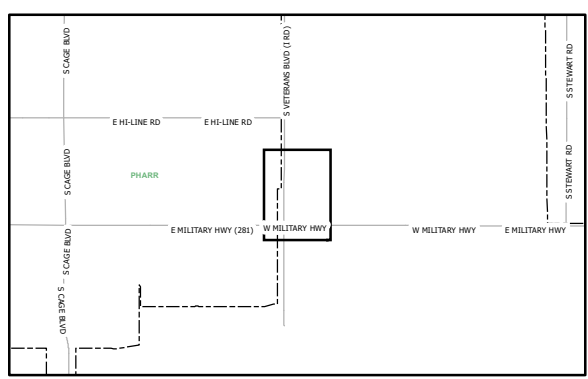


EXHIBIT A (2 of 3)

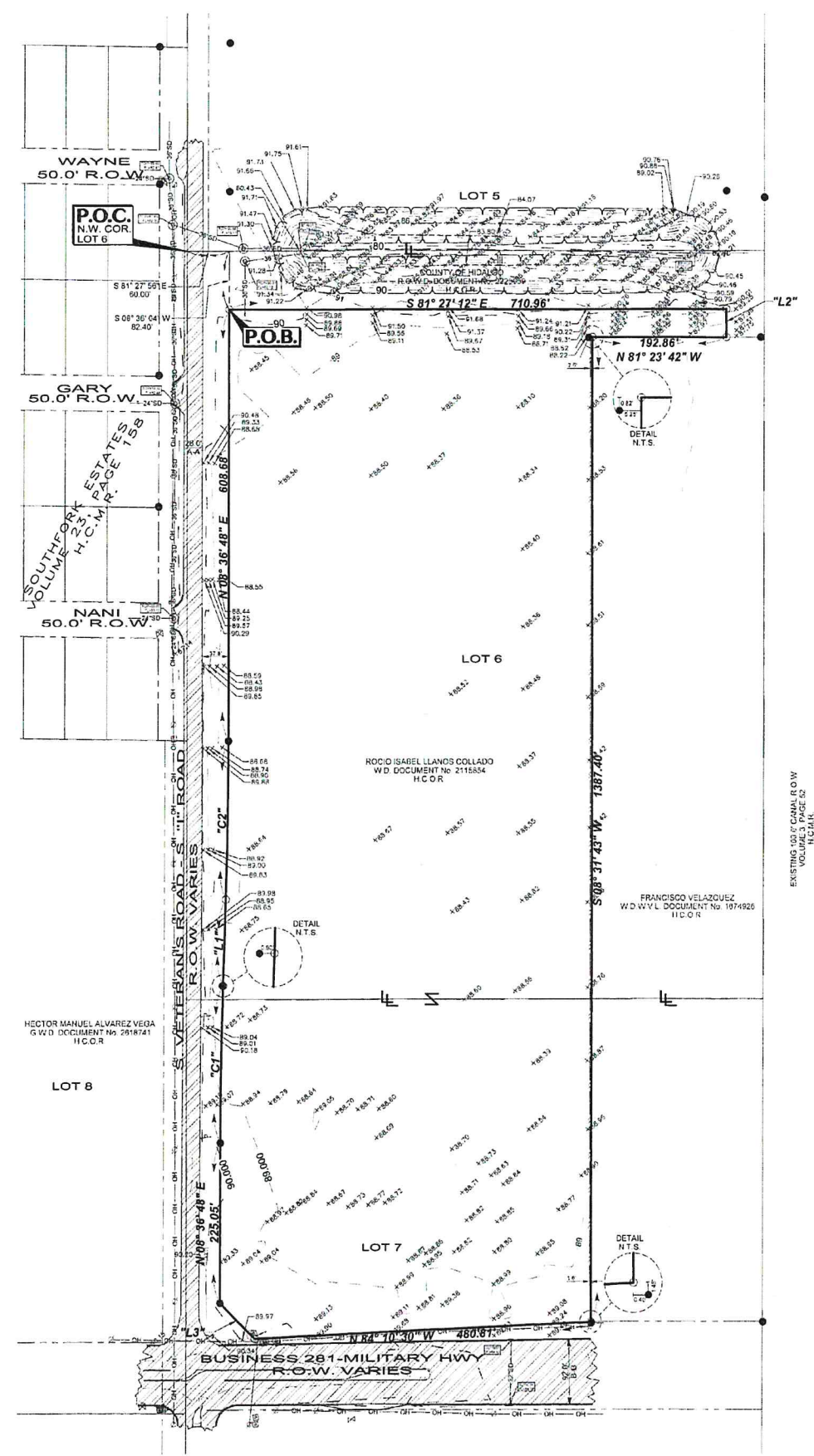
PROPERTY DESCRIPTIONS

1) OWNER: Jorge A. Andrade, Manager for Blu-Man Investments, LLC.

TRACT 1: A 17.425-acres being out of Lots 6 and 7, Re-Subdivision of Closner Subdivision, Hidalgo County, Texas.



EXHIBIT A
3 OF 3



Line Table				
Line #	Direction	Length		
1	N 12° 16' 47\"	121.90		
2	S 28° 22' 52\"	28.67		
3	N 34° 22' 12\"	79.87		

Curve Table					
Curve #	Delta	Radius	Length	Tangent	Chord Length
1	65° 39' 57\"	7449.07	229.64	112.33	710.63
2	151° 39' 57\"	7449.07	229.64	112.33	710.63

PLAT SHOWING
17.425 ACRES
BEING
OUT OF LOTS 6 AND 7,
RE-SUBDIVISION OF CLOSER SUBDIVISION
VOLUME 1, PAGE 56A H.C.M.R.
CITY OF PHARR
HIDALGO COUNTY, TEXAS

- LEGEND**
- FOUND NO. 4 REBAR
 - SET NO. 4 REBAR WITH PLASTIC
 - CAP STAMPED MELDEN & HUNT
 - POWER POLE
 - SERVICE POLE
 - CUY VAIL
 - TELEPHONE PEDESTAL
 - UNDERGROUND CABLE MARKER
 - AT&T UNDERGROUND CABLE MARKER
 - SINGLE POST SIGN
 - FIRE HYDRANT
 - FLUSH VALVE
 - WATER VALVE
 - TELEPHONE MANHOLE
 - STORM SEWER MANHOLE
 - FENCE
 - EDGE OF DITCH
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FLOOD ZONE
ZONE "C"
AREAS OF MINOR FLOODING
CONVEYANCE NUMBER 48024 0000 0
MAP DATE: JANUARY 2, 1991

- NOTES**
1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL & SIGNATURE OF SURVEYOR
 2. DEARING EXIST IS FROM THE NO. 4 REBAR FOUND AT THE NORTH CULVERT CORNER AND EAST RIGHT-OF-WAY LINE OF SOUTH VETERANS ROAD - 320TH ST ROAD AND THE NO. 4 REBAR FOUND WHICH BEARS 3 OF 34 48' 10\"
 3. ALL BEARINGS AND DISTANCES AS PER TEXAS COORDINATE SYSTEM SOUTH ZONE AND COORDINATES
 4. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE CURVE TABLE WHICH MAY SHOW EASMENTS APPROPRIATE THIS TRACT. THE SURVEYOR IS ADVISING THE RECORDS OF THIS PLAT THAT EASMENTS MAY AFFECT THIS TRACT
 5. ELEVATION DATUM PER NAVD 83 (GEOID 2100)

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREON, WAS MADE ON THE GROUND ON 01/17/22 UNDER MY DIRECTION, THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN; THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPPING, APPARENT CONFLICTS, OR VISIBLE EASMENTS, EXCEPT AS SHOWN HEREON.

ROBERTO N. TAMEZ, RPLS No. 6238 DATE: 01/17/22



JOB No. 22020.02
DRAWING DATE: 01-18-2022
DRAWN BY: B.M.
File Name: 22020.02
T-1144, PG. 5

REVISION DATE BY

M MELDEN & HUNT, INC.
CONSULTANTS • ENGINEERS • SURVEYORS

116 W. MCINTYRE - EDINBURG, TX 78541
PH: (956) 381-0981 - FAX: (956) 381-1830
ESTABLISHED 1947 - www.meldenandhunt.com

EXHIBIT B

SERVICE PLAN

I. ANNEXATION AREAS

The annexation areas are located on the northeast corner of South Veterans Boulevard and East Military HWY (281). The property is approximately **17.425 AC** and is illustrated in EXHIBIT A and further described below:

OWNER: Jorge A. Andrade, Manager for Blu-Man Investments, LLC.

TRACT 1: A 17.425-acres being out of Lots 6 and 7, Re-Subdivision of Closner Subdivision, Hidalgo County, Texas.

II. SERVICE COMPONENTS

This plan contains two service components: A) Municipal Service Plan B) Capital Improvement Program.

A. MUNICIPAL SERVICE PLAN

As required by TLGC 43.056 B), certain municipal services will be provided by the City of Pharr immediately upon the effective date of annexation. These services include:

- Police Protection
- Fire Protection
- Emergency medical services
- Solid waste collection, except as provided by Subsection 43.056 (o);
- Operation and maintenance of water and wastewater facilities in the annexed area that are not within the service area of another water or wastewater utility;
- Operation and maintenance of roads and streets, including road and street lighting; *
- Operation and maintenance of public parks, playgrounds, and swimming pools; and
- Operation and maintenance of any other publicly owned facility, building or service.

*Note: Street lighting will be maintained for fixtures located within the service territory of the City of Pharr.

1. POLICE

Existing Services: None

Services to be Provided: Currently, the area is under the jurisdiction of the Hidalgo County Sheriff's Office. However, upon annexation, the City of Pharr Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

2. FIRE

Existing Services: Primary fire response is currently provided through rural fire agreement with Hidalgo County. Services will continue to be provided

Services to be Provided: Fire suppression will be available to the area upon annexation. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshall's office as needed.

3. BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling and enforcing all other applicable codes which regulated building construction within the City of Pharr.

4. PLANNING AND ZONING

Existing Services: None

Services to be Provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Pharr Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Pharr Subdivision Ordinance. These services can be provided within the department's current budget.

5. LIBRARY

Existing Services: None

Services to be Provided: Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

6. HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE

Existing Services: None

Services to be Provided: The Hidalgo County Health Department will implement the enforcement of the City of Pharr's health ordinances and regulations on the effective date of the annexation. Such services can be provided with current City of Pharr's Code Compliance and Health Division Personnel and within the current budget appropriation. In addition, animal control services will be provided to the area as needed.

7. STREET

Existing Services: County Street Maintenance

Services to be Provided: Maintenance to the street facilities will be provided by the City upon the effective date of the annexation. This service can be provided within the current budget appropriation.

8. STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers and/or Public Works Department at time of completions. The City will then maintain the drainage upon approval.

9. STREET LIGHTING

Existing Services: None

Services to be Provided: The City of Pharr will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy.

10. TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: The Engineering Department will be able to provide, after the effective date of annexation, any additional traffic control devices.

11. WATER SERVICE

Existing Services: None

Services to be Provided: Water service to the area will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with City codes and ordinances.

12. SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

13. SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures.

14. ADDITIONAL SERVICES

All other applicable municipal services will be provided to the area in accordance with the City of Pharr's established policies governing extension of municipal services to newly annexed areas.

B. CAPITAL IMPROVEMENTS

The City, from time to time, include construction of new, expanded or replacement facilities in its Capital Improvements Program (CIP). Facilities to be included in the CIP shall be determined on a City-wide basis. Priorities shall be established by the CIP plans of the City, projected growth trends, and the City Commission through its development plans and policies.

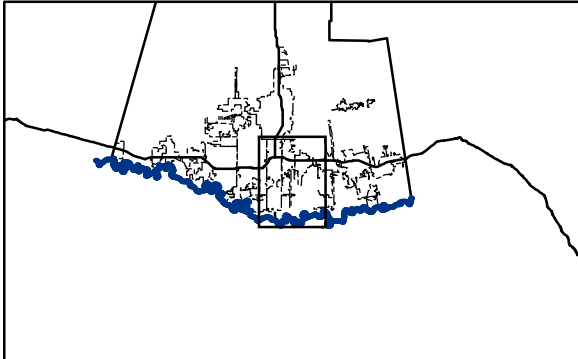
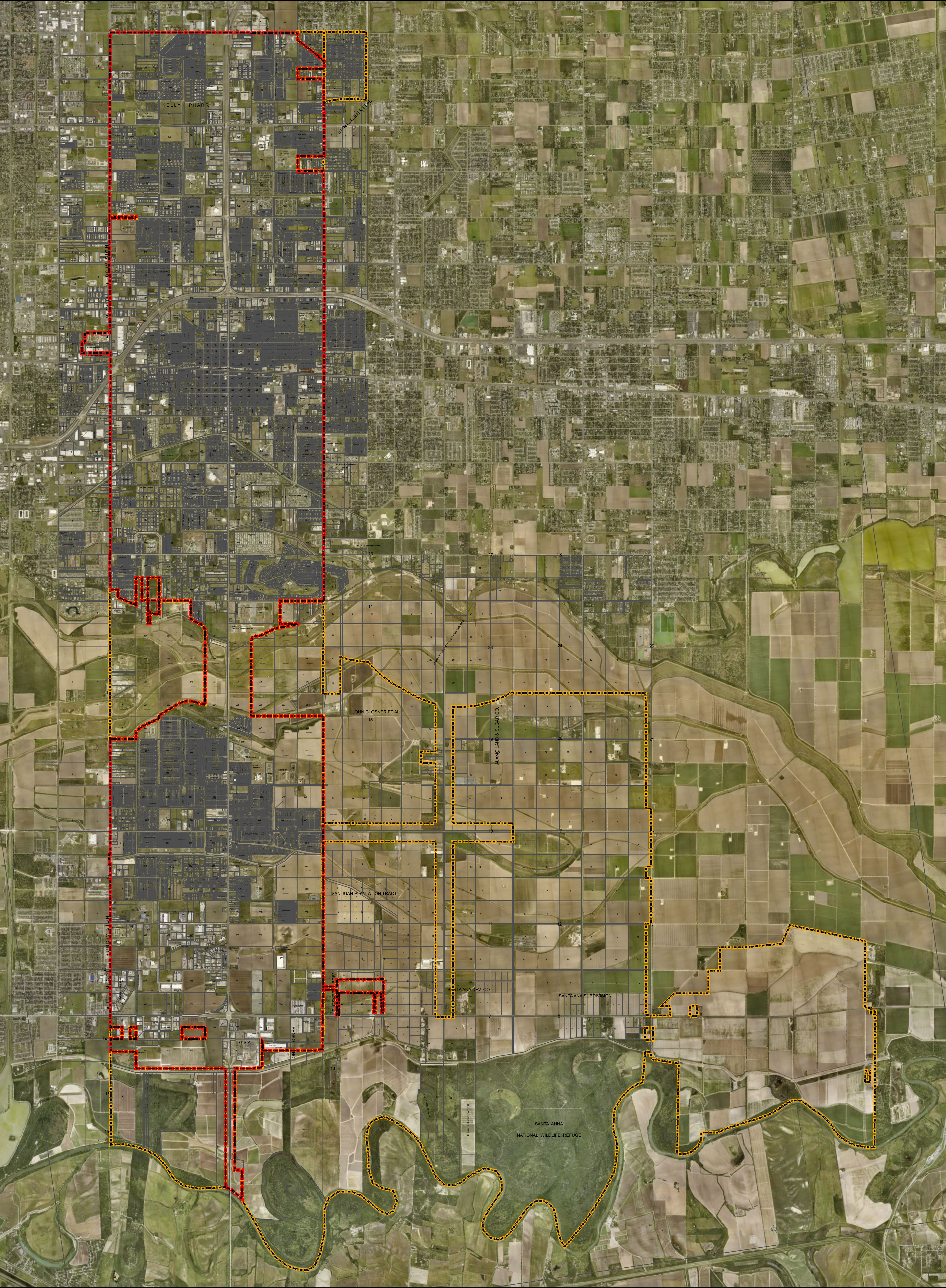
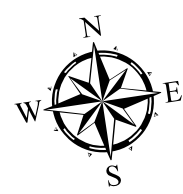
III. LEVEL OF SERVICES TO BE PROVIDED

It is the intent of the City of Pharr to provide the level of services required by State Law. The City Commission finds and determines that the services, infrastructure and infrastructure maintenance proposed by this plan are comparable to that provided to other parts of the City with topography, land use, and population density reasonably similar to the annexed area and will not reduce the level of services available to the territory prior to annexation.

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each are of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

**EXHIBIT C - SCHEDULE FOR VOLUNTARY ANNEXATION
CITY OF PHARR, TEXAS**

DATE	ACTION/EVENT	LEGAL AUTHORITY
November 28, 2022	Submitted petition for annexation	
January 03, 2023	Resolution to City Commission on accepting petition of annexation	
January 03, 2023	Acceptance of voluntary annexation petition request from landowners and initiation of annexation and City Commission sets a public hearing for January 16, 2023 (13 days)	TLGC 43.0671
January 16, 2023 Publish notice of public hearing AND Send notice to school district and to each public entity.	Send notice to Advance for publication of <u>December 29, 2022, for publication on January 04, 2023.</u> Post notice of public hearing on city's website and maintain until hearings are complete School District notice. Notify each school district of possible impact w/in the period preserved for publishing the notice of the public hearing. Public Entity notices. Notify each public entity that is located in or provides services to the area proposed for annexation. Public entity includes: County, fire protection, emergency medical services provider, special district (MUD) or other district, of possible impact w/in the period prescribed for publishing the notice of public hearing.	TLGC 43.905 and 43.9051; send notice to school district and to each public entity not less than 10 days nor more than 20 days before public hearing.
January 04, 2023	Legal Notice for Public Hearing Published for the date of January 16, 2023 (12 days)	Not less than 10 days nor more than 20 days before the public hearing. TLGC 43.0673
January 16, 2023	Public Hearing – Regular CC Meeting	Governing body must provide persons in interested in the annexation the opportunity to be heard. TLGC 43.0673
January 16, 2023	First Reading of the Ordinance (after public hearing)	TLGC 43.0673
February 06, 2023 (Could also be at a special called meeting after the First Reading; OR within 90 days of First Reading)	Second Reading of the Ordinance	Second reading of annexation ordinance, City Charter, Article I, Section 5
February 20, 2023	Third and final reading of the ordinance	Third and final reading of the annexation ordinance, Article III, Section 6, City Charter
Within 30 days of Final Reading	City Sends copy of map showing boundary changes to county voter registrar in a format that is compatible with mapping format used by registrar.	Elec. Code 42.0615
Within 60 days of Final Reading of Ordinance	City provides a certified copy of ordinance and maps to: 1. County Clerk 2. County Appraisal District 3. County Tax Assessor Collector 4. 911 Addressing 5. Sheriff's office 6. City Department Heads 7. State Comptroller 8. Franchise Holders	





AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.A.

DATE SUBMITTED: December 28, 2022

MEETING DATE: January 3, 2023

FROM: Maritza Magallan, Contract
Compliance Officer

DEPARTMENT: Purchasing

DIRECTOR: Ed Wylie

Agenda Item: Consideration and action, if any, ratifying the renewal of carbon black cloud anti-virus subscription for window systems city wide from SHI Government Solutions, Inc. through contract DIR-TSO-4291. **This item supports IF - Infrastructure.**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: This is the renewal for carbon black cloud anti-virus subscription for all window systems city wide. Yearly renewal pricing may vary
(Project# 2223-01-518-S027-001)

Fiscal Consideration: \$72,532.80

Staff Recommendation: Staff recommends approval

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Maritza Magallan
Jose Pena
Patricia Rigney
Karla Saavedra
City Management Office

Created/Initiated - 12/28/2022
Approved - 12/28/2022
Approved - 12/28/2022
Approved - 12/29/2022
Final Approval - 12/29/2022



Pricing Proposal
Quotation #: 22761576
Created On: 11/15/2022
Valid Until: 12/15/2022

TX-City of Pharr

Alex Velazquez

Pharr, TX
United States
Phone:
Fax:
Email: alex.velazquez@pharr-tx.gov

Senior Inside Account Executive

Jessica Vos

P.O. Box 847434
Dallas, TX 75284-7434
Phone: 800-870-6079 x6527657
Fax: 512-732-0232
Email: Jessica_Vos@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 VMware Carbon Black Cloud Endpoint (SaaS) Enterprise 1 Year subscription (12 months prepaid) per Endpoint. For Windows systems with production support - US. VMware - Part#: VSEC-CBEE-DIR-W-US-1Y-C Contract Name: IT Security Contract #: DIR-TSO-4291 Coverage Term: 12/3/2022 – 12/2/2023	876	\$64.80	\$56,764.80
2 VMware Carbon Black Managed Detection and Response (SaaS) - 1 Year subscription (12 months prepaid) per Endpoint - US. VMware - Part#: VSEC-MDR-DIR-US-1Y-C Contract Name: IT Security Contract #: DIR-TSO-4291 Coverage Term: 12/3/2022 – 12/2/2023	876	\$18.00	\$15,768.00
Subtotal			\$72,532.80
Shipping			\$0.00
Total			\$72,532.80

Additional Comments

VMware production support now includes Skyline, a feature that helps avoid problems before they occur. You can register for the additional support [HERE](#)

Please note the following:

- 1) VMware EULA -- [VMware EULA](#)
- 2) VMware Does Not offer a standard return policy
- 3) Service offerings are non-refundable
- 4) PSO Credits are only active for 1 Year

Please note, if Emergency Connectivity Funds (ECF) will be used to pay for all or part of this quote, please let us know as we will need to ensure compliance with the funding program.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI-GS! The pricing offered on this quote proposal is valid through the expiration date set

above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order.

SHI Government Solutions, Inc. is 100% Minority Owned, Woman Owned Business.
TAX ID# 22-3695478; DUNS# 14-724-3096

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.

[Home](#) ▸ [Explore DIR Contracts](#)

Contract Number

DIR-TSO-4291

Contract Term Date: **02/18/23** ⓘ

Contract Expiration Date: **02/18/23** ⓘ

Vendor Information

**SHI Government
Solutions, Inc.**

Vendor ID: **1223695478500**

HUB Type: **Asian Pacific American**

Female ⓘ

RFO: **DIR-TSO-TMP-247**

Contract Status: **Active**

VENDOR CONTACT:

Texas Team SHI 

Phone: (800) 870-6079

Fax: (512) 732-0232

[Vendor Website](#) 

DIR CONTACT:

Tara Lindgren 

Phone: (512) 475-4963

Contract Overview

SHI Government Solutions, Inc. offers Information Technology Security (ITS) Hardware, Software and Services through this contract. Customers can purchase directly through this DIR contract. Contracts may be used by state and local government, public education, other public entities in Texas, as well as public entities outside the state. Resellers are not available for this contract. DIR has exercised the automatic renewal option for this Contract. This renewal extends the contract through 2/18/2023.

Contract Details & Ordering Information

- Products & Services

[Commodity Codes](#)

[Brands](#)

[Contract Documents](#)

Products & Services

This contract offers the following products and services. Please contact the Vendor for the latest information.

- Hardware
- IT Security Software/Hardware
- Security Services



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.B.

DATE SUBMITTED: December 28, 2022

MEETING DATE: January 3, 2023

FROM: Jose Pena, IT Director

DEPARTMENT: IT

DIRECTOR: Jose Pena

Agenda Item: Consideration and action, if any, on five-year finance purchase of six Scale Computing servers from SHI Government Solutions, Inc. and HPE Financial Services through Sourcewell Contract No. 081419 in the amount of \$244,000.00. **This item supports IF - Infrastructure.**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: The City of Pharr utilizes Scale Computing servers for all city and public safety operations. Three servers on each of those two clusters are end of life and are needing to be replaced. This 4% finance purchase option will allow for better budget planning with set amounts for the next four fiscal years to include hardware and software maintenance as opposed to a one time upfront payment.
(Project# 2223-01-518-P008-001)

Fiscal Consideration: \$244,000.00

Staff Recommendation: Staff recommends approval.

Alternatives: NA

Exclude Material from Public Packet? No

Reason: NA

ROUTING:

Jose Pena
Maritza Magallan
Patricia Rigney
Karla Saavedra
Anali Alanis
City Management Office

Created/Initiated - 12/28/2022
Approved - 12/28/2022
Approved - 12/28/2022
Approved - 12/29/2022
Approved - 12/29/2022
Final Approval - 12/29/2022



HP Integrated Financial Services

Financial Services Proposal

Prepared for: City of Pharr
Partner: SHI
Submitted: December 19, 2022

Create financial vitality. Any tech. Anytime. Anywhere.

Do more with your budget. Accelerate your migration. With technology changing every day, leasing provides you with the flexibility you need to meet your ongoing business needs, as well as being a cost-effective way to use operating capital and preserve bank credit lines. The following payment alternatives are available from HP Financial Services.

Tax Exempt Installment Sale (\$1 Buyout)

In a Tax-exempt Installment Sale structure, payments consist of both principal and interest, with the interest being excludable from the Lessor's gross income for Federal income tax purposes. During the term of the Lease the Concluding Payment – primarily consisting of unpaid principal would decline as each Lease Payment was made and applied. Under this structure Title typically passes to the Lessee at the Lease Acceptance and the Lessor would file a security interest in the equipment. Once the original base Lease Payments are made the Lessee owns the equipment free and clear.

Product cost	\$ 244,000
Purchase Option	TEIS
Lease Term	60 months
Payments:	\$ 52,700.05 – annual advanced payments

With approved credit. Pricing is valid only if product is delivered and accepted by March 31, 2023 TEIS pricing is only valid for 100% public accounts only.

We appreciate the opportunity to provide you with this proposal. Please call me if you have any questions, or if I can be of further help.

Sincerely,

Kristi Cooper
HPE Financial Services
Public Sector Sales
Desk: 512.319.0739
kristi.cooper@hpe.com

Confidentiality: This letter is delivered to you with the understanding that neither this letter nor its substance shall be disclosed by Lessee to any third party.

Basis of Proposal: This letter is a proposal for discussion purposes only and does not represent either an offer or a commitment of any kind on the part of HPEFS. It does not purport to be inclusive of all terms and conditions that will apply to a leasing transaction between us. Neither party to the proposed transaction shall be under any legal obligation whatsoever until, among other things, HPEFS has obtained all required internal approvals (including credit approvals) and both parties have agreed upon all essential terms of the proposed transaction and executed mutually acceptable definitive written documentation. This proposal can be modified or withdrawn by HPEFS at any time.

Either party may terminate discussions and negotiations regarding a possible transaction at any time, without cause and without any liability whatsoever.



Pricing Proposal
Quotation #: 22884663
Created On: 12/19/2022
Valid Until: 12/30/2022

TX-City of Pharr

Alex Velazquez

Pharr, TX
United States
Phone:
Fax:
Email: alex.velazquez@pharr-tx.gov

Senior Inside Account Executive

Jessica Vos

P.O. Box 847434
Dallas, TX 75284-7434
Phone: 800-870-6079 x6527657
Fax: 512-732-0232
Email: Jessica_Vos@shi.com

All Prices are in US Dollar (USD)

	Product	Qty	Your Price	Total
1	2X XEON SP CPU 3X HDD 1X SSD CTLR HC1250D CHASSIS Scale Computing - Part#: CHA-3-0A Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	3	\$12,362.05	\$37,086.15
2	8C/16T 3.2GHZ 2400MT/S INTEL CPNT XEON SILVER 4215R Scale Computing - Part#: CPU-3-04 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	6	\$0.00	\$0.00
3	32GB DDR4 2933 MHZ RDIMM 32GB CPNT DDR4 RDIMM Scale Computing - Part#: RAM-3-09 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	24	\$0.00	\$0.00
4	1.92TB 3.5IN SATA SSD 1.92TB CPNT 3.5IN SATA SSD Scale Computing - Part#: SSD-3-04 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	3	\$0.00	\$0.00
5	12TB 3.5IN SAS HDD 12TB 3.5IN CPNT SAS HDD Scale Computing - Part#: HDD-3-05 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	9	\$0.00	\$0.00
6	4-PORT INTEL/LENOVO X722 4-PORTCPNT 10GB SFP+ Scale Computing - Part#: NIC-3-02 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	3	\$0.00	\$0.00
7	NODE INSTALL REMOTE SUP REMOTE SVCS INSTALLATION Scale Computing - Part#: QSRN Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	3	\$240.77	\$722.31

8	5YR LICS AND SW SC//HYPERCORE -LICS 16C STANDARD Scale Computing - Part#: HCOS-S-5-16C Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	3	\$25,616.36	\$76,849.08
9	5YRS HW WARRANTY SVCS Scale Computing - Part#: HW-5 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	1	\$2,465.75	\$2,465.75

Subtotal	\$117,123.29
Shipping	\$0.00
Total	\$117,123.29

Additional Comments

Please note, if Emergency Connectivity Funds (ECF) will be used to pay for all or part of this quote, please let us know as we will need to ensure compliance with the funding program.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI-GS! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order.

SHI Government Solutions, Inc. is 100% Minority Owned, Woman Owned Business.
TAX ID# 22-3695478; DUNS# 14-724-3096

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.



Pricing Proposal
Quotation #: 22884664
Created On: 12/19/2022
Valid Until: 12/30/2022

TX-City of Pharr

Alex Velazquez

Pharr, TX
United States
Phone:
Fax:
Email: alex.velazquez@pharr-tx.gov

Senior Inside Account Executive

Jessica Vos

P.O. Box 847434
Dallas, TX 75284-7434
Phone: 800-870-6079 x6527657
Fax: 512-732-0232
Email: Jessica_Vos@shi.com

All Prices are in US Dollar (USD)

	Product	Qty	Your Price	Total
1	2X XEON SP CPU 3X HDD 1X SSD CTLR HC1250D CHASSIS Scale Computing - Part#: CHA-3-0A Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	3	\$12,362.05	\$37,086.15
2	8C/16T 3.2GHZ 2400MT/S INTEL CPNT XEON SILVER 4215R Scale Computing - Part#: CPU-3-04 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	6	\$0.00	\$0.00
3	32GB DDR4 2933 MHZ RDIMM 32GB CPNT DDR4 RDIMM Scale Computing - Part#: RAM-3-09 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	24	\$0.00	\$0.00
4	1.92TB 3.5IN SATA SSD 1.92TB CPNT 3.5IN SATA SSD Scale Computing - Part#: SSD-3-04 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	3	\$0.00	\$0.00
5	12TB 3.5IN SAS HDD 12TB 3.5IN CPNT SAS HDD Scale Computing - Part#: HDD-3-05 Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI	9	\$0.00	\$0.00
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Subtotal	\$117,123.29
Shipping	\$0.00
Total	\$117,123.29

Additional Comments

Please note, if Emergency Connectivity Funds (ECF) will be used to pay for all or part of this quote, please let us know as we will need to ensure compliance with the funding program.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 8.A.

DATE SUBMITTED: December 22, 2022

MEETING DATE: January 3, 2023

FROM: Jose Pena, IT Director

DEPARTMENT: IT

DIRECTOR: Jose Pena

Agenda Item: Consideration and action, if any, authorizing City Manager to enter into a subscription services agreement with Recite Me NA LLC for City website accessibility software. **This item supports SE - Service Excellence.**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: The City of Pharr is needing this additional software to provide digital inclusive access to our online visitors. This software will help those with visual or hearing impairments to have an easier time accessing our website information as well as being able to translate all our content into multiple languages.
(Project# 2223-01-523-IPQ040-001)

Fiscal Consideration: \$3,495.00

Staff Recommendation: Staff recommends approval.

Alternatives: Other products

Exclude Material from Public Packet? No

Reason: NA

ROUTING:

Jose Pena
Melanie Cano
Maritza Magallan
Patricia Rigney
Karla Saavedra
Anali Alanis
City Management Office

Created/Initiated - 12/22/2022
Approved - 12/22/2022
Approved - 12/22/2022
Approved - 12/22/2022
Approved - 12/29/2022
Approved - 12/29/2022
Final Approval - 12/29/2022



Order Form



www.reciteme.com

Recite Me Order Form

This document outlines the commercial agreement between

Recite Me NA LLC

(The Supplier)

and

City of Pharr

(The Client)

For Recite Me to provide web accessibility tools for a period as defined below on the url(s) listed.

Authorised URL(s)

Please list all the URL's you intent to deploy the Recite Me software on as part of this agreement.

URL (s)

http://pharr-tx.gov/

3 Years - \$8,985 (\$2995 per year)*
1 Year - \$3,495

*Note: \$2995 billed annually

Period of Contract	Price	
3 Years	\$8,985	☐
1 Year	\$3,495	☒
		☐

Please check box of preferred option.
Recite Me Terms and Conditions within this agreement apply. All prices quoted in US Dollars.
Quotes Valid for 60 days from date of quotation.

Signatures

The Supplier

Contact Name

Matthew Cox

Title

Country Manager

Email

matt.cox@reciteme.com

Telephone

571 946 4068

Signature

Date

The Client

Contact Name

Melanie Cano

Title

Director - Organizational & SE

Email

melanie.cano@pharr-tx.gov

Telephone

956-402-4242

Signature

Date

1 Description Of The Services Contracted

1. The Supplier will provide Recite Me web accessibility software ("the Web Accessibility Software") for the Client's website for the duration of the agreement. Recite Me is supplied on a software as a service ("SaaS") basis.
2. The Supplier will provide a named account manager who will be the main point of contact between the Supplier and the Client throughout the agreement.
3. The Supplier will provide technical support as required.

2 Exclusivity and Intellectual Property Rights

1. The Supplier is permitted to offer the same Web Accessibility Software to other companies.
2. It is agreed and acknowledged that all Intellectual Property Rights in the Web Accessibility Software belong exclusively to the Supplier and the Supplier's sister company Recite Me Limited on behalf of which the Supplier acts as exclusive agent in the United States of America.
3. The Supplier warrants that the Supplier has the right to provide the Web Accessibility Software to the Client as set out in this Agreement and that such provision shall not infringe the intellectual property rights of any third party.

3 Support

The Supplier is committed to providing technical support to the Client, when applicable, throughout the Term of this agreement. Furthermore, the Supplier will ensure that the Web Accessibility Software is available in accordance with the service levels set out in Appendix A.

4 Breach Of Contract

1. The Supplier will endeavour to rectify a breach of contract within 1 month.
2. The Client shall be permitted to contract with another supplier should the Supplier fail to rectify the breach within the given period.

5 Supplier Fees

1. In consideration for the provision of the Web Accessibility software the Client shall pay the Supplier the following charges:

Please refer to page 2

Payments must be made within 30 days of the date of the invoice.

6 Supplier Contact

The designated person/department of the Client who is to supervise the Supplier's work will be provided by the Client.

7 Termination

The contract can be terminated without notice subject to:

1. Receivership, administration or liquidation of either party;
2. Breach of any term of the agreement that is not remedied within one month by either party;
3. If Client does not appropriate funds for this agreement; OR
4. With notice 30 days written notice for convenience by client.

8 Confidentiality

1. Each party agrees to keep confidential any and all commercial, technical, financial or other business information concerning the other party to which it may become party during the course of this Agreement and further agrees in particular not to disclose all or any part of that information to any third party, except as may be required by a mandatory rule of law or order of court of competent jurisdiction.
2. For the purposes of this clause if the parties agree that confidential information shall not include:
 - Information generally available to members of the public in written or other fixed form or which becomes so available through no fault or breach of this Agreement on the part of the recipient;
 - Information which its recipient can establish by independent evidence was available to it and its free disposal prior to its receipt under or in connection with this Agreement; and
 - Information at any time received from a third party not apparently bound (after enquiry) by any contractual or fiduciary obligation of confidence and thus free to make disclosure.
 - The Supplier may issue press releases or promotional material relating to the Client and its use of the Web Accessibility Software for advertising or other purposes before, during or after termination of this agreement.
 - This clause shall continue to have full force and effect both before and after termination of this Agreement (for whatever reason).

9 Documentation

Service of documents between the parties may be by email or normal post.

10 Liability

1. The Supplier is not liable for failure to perform its obligations if such failure is as a result of Acts of God (including fire, flood, earthquake, storm, hurricane or other natural disaster), war, invasion, act of foreign enemies, hostilities (regardless of whether war is declared), civil war, rebellion, revolution, insurrection, military or usurped power or confiscation, terrorist activities, nationalisation, government sanction, blockage, embargo, labour dispute, strike, lockout or interruption or failure of electricity or telephone service.
2. Save in the case of death or personal injury resulting from its negligence the aggregate liability of Recite Me NA LLC. under this Agreement (howsoever arising) shall not exceed \$5,000.

11 Governing Law and Jurisdiction

This Agreement shall be governed by the laws of the state of Texas. The Parties agree that any and all claims arising out of this agreement shall lie exclusively in the state and district courts of Hidalgo County, Texas.



Recite Me SLA

1. During each month of this Agreement the Supplier undertakes to the Client that the Software shall be capable of being accessed (except where inaccessibility is caused by backbone outage or power failure of the National power suppliers or any event of Force Majeure) no less than 99.9% of the time during normal working hours of 09:00 to 17:00 EST.*
2. During each month of this Agreement the Supplier undertakes to the Client that the server on which the Software is hosted and the ancillary equipment out to the relevant router shall have no more than 1.0% down time.*
3. The Supplier undertakes that the Software is backed-up at least once every 24 hours and secured in accordance with good industry practice.
4. The Supplier will monitor the Software on the relevant server and if at any time the Software is not fully accessible for 2 hours or more then the Supplier shall notify the Client immediately and the Supplier shall start correcting the problem immediately and shall continue working on it until it is remedied.
5. The Supplier will ensure that:
 - All planned maintenance will be undertaken outside of the normal working hours referred to above.
 - All planned maintenance which may result in the Software not being available for more than 2 hours will be notified to all clients prior to carrying out such maintenance.
 - Notice of emergency maintenance will be given as soon as is practicable.

*For the avoidance of confusion the difference between points 1 and 2 is designed to reflect that within normal working hours our team can react in real time to any issue, whereas out of hours this may take a little longer, and to allow for any planned system downtime for maintenance/upgrades.



t: +1 571 946 4068

e: info@reciteme.com

w: www.reciteme.com

12110 Sunset Hills Rd #600,

Reston VA, 20190,

USA

Believing in Accessibility for All



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 8.B.

DATE SUBMITTED: December 22, 2022

MEETING DATE: January 3, 2023

FROM: Vanessa Guzman, Administrative Assistant

DEPARTMENT: Bridge

DIRECTOR: Luis Bazan

Agenda Item: Consideration and action, if any, authorizing City Manager to enter an agreement with Blue Stone Capital Solutions, LLC. for Professional Financial Consulting Services for the bridge. **This item supports SE - Service Excellence.**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: On December 21, 2022, the Bridge Board approved the Professional Service Agreement with Blue Stone Capital Solution, LLC for Financial Consulting. The agreement will provide consulting services related to the Pharr International Bridge's financial projections. The terms will begin on February 7, 2023.
(Project# 2223-70-510-S028-001)

Fiscal Consideration: yes

Staff Recommendation: Authorization to approve the professional service agreement with Blue Stone Capital Solutions, LLC for financial consulting. The Pharr International Bridge has worked with Blue Stone Capital Solutions for the past three (3) years on financial projections as well as major economic events, management decisions and market trends that affect the Pharr Bridge.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Vanessa Guzman

Luis Bazan

Maritza Magallan

Karla Saavedra

Patricia Rigney

City Management Office

Created/Initiated - 12/22/2022

Approved - 12/28/2022

Approved - 12/28/2022

Approved - 12/29/2022

Approved - 12/29/2022

Final Approval - 12/29/2022

**CONSULTING AGREEMENT BETWEEN THE CITY OF PHARR,
TEXAS and BLUE STONE CAPITAL SOLUTIONS, LLC**

This Agreement is entered into by in between the City of Pharr, Texas hereinafter called “the City” and BLUE STONE CAPITAL SOLUTIONS, LLC hereinafter called “Consultant”, as follows:

WHEREAS, The City of Pharr wishes to employ Consultant provided consulting services on as the is set forth below and Consultant agrees to provide such services on the terms and conditions set forth below and, therefore, the parties hereby agree on bind themselves as follows:

1. Consultant will provide consulting services related to the Pharr-Reynosa International Toll

Bridge which consist of:

- a. Conducting historical review of the financial statements.
- b. Analyst current expenses, attempt to reduce expenses and show how the savings can be reinvested into increasing revenues; and
- c. Prepare annual forecast/projections of income and expenses.
- d. Assist in preparing Bridge’s organizational chart, with projected growth.
- e. Assist in preparing and submitting the annual budget and forecasting/projecting revenues and expenses, to include assistance with Bond and Bond Ratings (FAST Lane, DAP 15, DAP 16 and Southbound Bridge Expansion with Timelines and historical Northbound recapture rates).
- f. Analyst monthly and annual crossings
- g. Conduct financial & market analysis on existing and new projects; Toll Fee Analysis, HCRMA Fee Analysis, Stevedore Project, Overweight & Oversized Fee Analysis, Leidos X-Ray Analysis, Donna & Anzaldua’s Bridge Analysis(competitors), Top Import & Export Analysis, and Bridge Border Crises.
- h. Coordinate and assist efforts with Bridge Officials and the Legislative Team to ensure proper alignment of funding current and future (new) qualified bridge projects.
- i. Coordinate and assist with ongoing bridge efforts with Bridge Officials and the City of Pharr Officials of Organization and Strategic Excellence.

2. Consultant will prepare reports of income and expenses comparing actual vs projected figures to determine any variances related to the Pharr-Reynosa International Toll Bridge.
3. The term of this Agreement shall be three (3) years. This Agreement will terminate at the end of the three (3) year term, unless renewed in writing by the Parties. Consultant will be paid \$80,000.00 over the three-year term of this contract at a rate of \$6,666.67 per month with the first payment due upon the effective date of this contract and subsequent payments due on the same day of each month thereafter during the term of the contract. The effective date of this Agreement is February _____, 2023.
4. Consultant will be reimbursed for ~~reasonable and necessary~~ ~~out-of-pocket~~ expenses incurred in the performance of his work under this Agreement upon presentation of invoices for such expenses provided however that should any such expense exceed \$500.00, prior approval for the incurring such expenses will be obtained from the City.
5. City may terminate this Agreement, with or without cause, upon thirty (30) days written notice to Consultant, without further obligation or payment owed. Consultant may terminate this Agreement upon thirty (30) days advance written notice to the City, and no further payment or amount owed shall be due.
6. INDEPENDENT CONTRACTOR / NONDISCLOSURE. The parties stipulate and agree that:
 - (a) Consultant shall be an independent contractor for all purposes under this Agreement, and as such, no part of Consultant's work-product, methods, or process provided to City shall be directed or controlled by City;
 - (b) Consultant is not prohibited from providing services to any other entity or person that are not in conflict with the interests of the City of Pharr and its corporations and departments;
 - (c) Consultant will provide its own equipment, supplies, and necessities to perform

under this Agreement;

- (d) Consultant acknowledges and agrees that it may be personally liable for self-employment taxation;
- (e) Consultant is not entitled to any benefits as may be applicable to the personnel of the City; and
- (f) Consultant further agrees and stipulates that neither it nor any agent, employee, or representative shall disclose or share any information or materials obtained from City or in furtherance of this Agreement with any person or third-party including, but not limited to, any other domestic or foreign municipality unless authorized by City.

GENERAL PROVISIONS

- 7. This Agreement embodies the entire agreement among the parties and supersedes all prior written or oral agreements and understandings, if any, relating to the subject matter hereof except as is otherwise provided for herein.
- 8. This Agreement has been or may be executed in identical counterparts, all of which constitute collectively one Agreement.
- 9. The prevailing parties in any action to enforce this Agreement shall be entitled to receive reasonable attorneys' fees from the non-prevailing party pursuant to Section 271.153 of the Texas Local Government Code.
- 10. Failure of any party to exercise any right or option arising out of any breach of this Agreement shall not be deemed a waiver of any right or option with respect to any subsequent or different breach, or the continuance of any existing breach.
- 11. This Agreement is intended to be performed in the State of Texas and the substantive laws of Texas shall govern the validity, construction, enforcement and interpretation of this Agreement. Venue and Jurisdiction for any and all claims arising out of this agreement shall lie exclusively in the State and District Courts of Hidalgo County, Texas.

12. This Agreement is intended to be performed in the State of Texas and the substantive laws of Texas shall govern the validity, construction, enforcement and interpretation of this Agreement. Venue and Jurisdiction for any and all claims arising out of this agreement shall lie exclusively in the State and District Courts of Hidalgo County, Texas.
13. Appropriation. This Agreement is subject to budgetary constraints.
14. Notices. All notices and other communications hereunder shall be in writing and shall be deemed given if delivered personally or by commercial delivery service, or mailed by registered or certified mail (return receipt requested) or sent via facsimile (with confirmation of receipt) to the parties at the following address (or at such other address for a party as shall be specified by like notice) if to:

BLUE STONE CAPITAL SOLUTIONS, LLC
16172 Weston Way Drive
Harlingen, TX 78552

City of Pharr
Attention:
118 S. Cage Blvd.
4th Floor
Pharr, Texas

IN WITNESS WHEREOF: The parties hereto have executed this Agreement as of the day and year written below.

BLUE STONE CAPITAL SOLUTIONS, LLC

By: _____
Heriberto "Eddie" Gutierrez, Its
Manager

CITY OF PHARR, TEXAS

By: _____
Anali Alanis, Interim City Manager



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 8.C.

DATE SUBMITTED: December 27, 2022

MEETING DATE: January 3, 2023

FROM: Jose Pena, IT Director

DEPARTMENT: IT

DIRECTOR: Jose Pena

Agenda Item: Consideration and action, if any, on Change Order No. 1 in the amount of \$598,863.20 to the Professional Engineering Services Agreement with Cobb Fendley & Associates, Inc. for the City Wide Fiber Optic Project, TeamPharr.Net for additional scope of work. **This item supports IF - Infrastructure.**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Cobb, Fendley & Associates, Inc. ("CobbFendley") is requesting a formal change order to the existing contract for the OSP Insight integration and additional design footage as outlined in the attached change order request form.

(Project# 1920-01-528-S013-001C)

Fiscal Consideration: \$598,863.20

Staff Recommendation: Staff recommends approval.

Alternatives: NA

Exclude Material from Public Packet? No

Reason: NA

ROUTING:

Jose Pena
Maritza Magallan
Patricia Rigney
Karla Saavedra
Anali Alanis
City Management Office

Created/Initiated - 12/27/2022
Approved - 12/28/2022
Approved - 12/28/2022
Approved - 12/29/2022
Approved - 12/29/2022
Final Approval - 12/29/2022

To: Mr. Ed Wylie
Deputy City Manager
City of Pharr
118 S Cage Blvd.
Pharr, Texas 78577

From: CobbFendley – Vineeta Ram

Date: November 29, 2022

Re: Change Order

Dear Mr. Wylie,

Cobb, Fendley & Associates, Inc. ("CobbFendley") is requesting a formal change order to the existing contract (Contract ID# 1920-01-528-5013-001C) for the OSP Insight integration and additional design footage as outlined in the attached change order request form and below:

Task 1- OSPinsight integration.

We initially estimated the project to be completed using ArcGIS for our High-Level Design/Analysis Tools and AutoCAD to develop plans. Within the plans, we were going to detail the cable details, including exhibits for splicing diagrams and furnish a spreadsheet for cable range details for splicing. We had estimated 500hrs for this task. With our recommendation, the City of Pharr pursued utilizing the OSPI asset management tool early in the design phase, eliminating work for the City to ultimately populate the asset management system once the project is completed, as cables/splicing details and attributed CobbFendley created features in OSPInsight. In addition, OSPI allows for network tracing, capacity analysis and many other applications which created additional work for us but were ultimately the right decision for the network.

Task 2 Additional Design footage:

In the original scope we had developed our design fee based on the assumed quantity of Fiber design. We estimated Fiber design linear footage based on the linear footage of the Waterline within the City. We now have approx. 280K additional LF of design (including private communities) compared to the original estimate.

Sincerely,

Cobb, Fendley & Associates, Inc.



Vineeta Ram, P.E.
Executive Vice President



CHANGE ORDER

Contractor: Cobb, Fendley & Associates, Inc.

Change Order No.: 1

Project: City of Pharr Fiber Optic Network

Date: 11/29/2022

Notice to Proceed Date: _____

Change Order Amount: \$598,863.20

You are directed to make the following changes in the Contract Documents:

Add Phase VII to include the following tasks:

8.0 OSPinsight integration

9.0 Additional Design Footage

Reason for Change Order:

Task 1- OSPinsight integration.

We initially estimated the project to be completed using ArcGIS for our High-Level Design/Analysis Tools and AutoCAD to develop plans. Within the plans, we were going to detail the cable details, including exhibits for splicing diagrams and furnish a spreadsheet for cable range details for splicing. We had estimated 500hrs for this task. With our recommendation, the City of Pharr pursued utilizing the OSPI asset management tool early in the design phase, eliminating work for the City to ultimately populate the asset management system once the project is completed, as cables/splicing details and attributed CobbFendley created features in OSPInsight. In addition, OSPI allows for network tracing, capacity analysis and many other applications which created additional work for us but were ultimately the right decision for the network. This was the scope we had not initially planned for as we went by past experiences such as City of Mount Belvieu. Right now, we have spent 2532 hrs on this task. We request a change order to partially cover this difference (only 50% hrs).

Task 2 Additional Design footage.

In the original scope we had developed our design fee based on the assumed quantity of Fiber design. We estimated Fiber design linear footage based on the linear footage of the Waterline within the City. We now have approx. 280K additional LF of design (including private communities) compared to the original estimate, thus requesting a change order.

	Contract Price	Contract Time(Calendar Days)
Original Contract:	\$ 2,313,892.63	Original Completion Date: <u>29-Apr-22</u>
Previous Change Order: (+/-)	\$ -	Additional Days: <u>252</u>
This Change Order: (+/-)	\$ 598,863.20	Revised Completion Date: <u>6-Jan-23</u>
Revised Contract Amount:	\$ 2,912,755.83	

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.

Accepted:

Cobb, Fendley & Associates, Inc.

Vinodaram

11/29/2022

Contractor

Authorized Signature

Date

Recommended:

Project Engineer/Architect

Authorized Signature

Date

Ruben Alfaro PE

City Engineer

Authorized Signature

Date

Approved:

Ed Wylie

Interim City Manager

Authorized Signature

Date

Additional Design LF Calculation Worksheet

Construction - Place NEW 2-1.25" HDPE	FT	51,233	Phase 2
Construction - Place NEW 1-1.25" HDPE	FT	318,965	Phase 3
Construction - Place NEW 2-1.25" HDPE	FT	122,588	
Construction - Place NEW 3-1.25" HDPE	FT	87	
Construction - Place NEW 1-2" HDPE	FT	6,633	
Construction - Place NEW 2-2" HDPE	FT	55,568	
Construction - Place NEW 1-1.25" HDPE	FT	280,842	Phase 4
Construction - Place NEW 2-1.25" HDPE	FT	80,375	
Construction - Place NEW 3-1.25" HDPE	FT	7,228	
Construction - Place NEW 1-2" HDPE	FT	40,889	
Construction - Place NEW 2-2" HDPE	FT	157,601	
Construction - Place NEW 1-4" HDPE	FT	1,421	
Construction - Place NEW 1-1.25" HDPE	FT	255,526	Phase 5
Construction - Place NEW 2-1.25" HDPE	FT	58,613	
Construction - Place NEW 3-1.25" HDPE	FT	608	
Construction - Place NEW 1-2" HDPE	FT	2,149	
Construction - Place NEW 2-2" HDPE	FT	100,431	
Construction - Place NEW 3-2" HDPE	FT	260	
		1,541,017	Design Total
		1,442,000	Contract total
		99,017	Delta Phase 1 through 5
		136,520	Private communities
		44,463	Estimated footage for connecting commercial MDU parcels to core network
		280,000	Total Additional Design footage