

**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
MONDAY, APRIL 17, 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. PROCLAMATIONS:

A) Proclamation proclaiming the week of April 23-29, 2023 as National Crime Victims' Rights Week. (ADMINISTRATION)

B) Proclamation proclaiming the week of April 23-29 as National Library Week. (LIBRARY)

3. 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.

4. 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.

AGENDA REGULAR MEETING
April 17, 2023

A) Public hearing on development services cases

5. 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) Submission of Sales Tax Collection Report for April 2023. **This item supports SG - Sound Governance and Fiscal Sustainability.**

B) City Events of Interest.

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

1. Taqueria Tepeque Express, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C). The property is legally described as being 0.041 acres, more or less, out of Lot 2, Hacienda Santa Lucia Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 701 East Nolana Loop, Suite #3A. CUP#230384 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

2. Emigdio "Milo" Salinas, P.E., representing Blu-Man Investments, LLC. 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 Limited Industrial District (L-I). The property is legally described as being 17.425 acres, more or less, out of Lot 6 and Lot 7, out of Re-subdivision of Closner Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 10400 Block of South Veterans Boulevard. COZ#230382 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

3. Al Yazji Development LLC., representing ASAS ECO LLC., 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 General Business District (C). The property is legally described as being 6.987 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 4800 North Jackson Road. COZ#230385 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

4. Macumba Paradise, LLC., d/b/a La Cabaña Sinaloense, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1209 East Nolana Loop. CUP#160736 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

AGENDA REGULAR MEETING
April 17, 2023

5. LEM Group LLC, d/b/a The Bridge Bar, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C). The property is legally described as being a 0.099-acre tract of land, more or less, out of Lots 1 & 2, Luvil LLC Estates Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 508 West IH-2 Suites 12 & 13. CUP#210741 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2023-09 Rental of Facilities (1st Reading). **This item supports QL - Quality of Life.** (PARKS)

B) Consideration and action, if any, on Ordinance amending Ordinance Nos. O-2023-11 and O-2023-14 appointing Presiding and Alternate Judges for the General Municipal Election on Saturday, May 6, 2023 (*Adoption on One Reading*). **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

C) Consideration and action, if any, on Resolution executing Amendment Number 1 to the Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for I Road, from Rancho Blanco to Dicker Road, Control Section Job (CSJ) Number 0921-02-363. **This item supports IF - Infrastructure.** (ENGINEERING)

D) Consideration and action, if any, on Resolution regarding AEP Texas Distribution Cost Recover Factors (DCRF) application and authorizing legal counsel to intervene and participate in the proceeding. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

E) Consideration and action, if any, on Resolution appointing one (1) alternate member to the Planning and Zoning Commission. **This item supports SG - Sound Governance and Fiscal Sustainability.** (DEVELOPMENT SERVICES)

F) Consideration and action, if any, on Resolution determining a public necessity to acquire certain real property; giving notice of an official determination to acquire real property for a public purpose; establishing procedures for the acquisition of property; determining the estate to be acquired; establishing fair market value for the property to be acquired, and directing the city manager or designee to communicate offers to owners for purchase of property, appropriating funds, and authorizing condemnation proceedings by city attorney; ratification of prior acts. **This item supports QL - Quality of Life.** (ADMINISTRATION)

AGENDA REGULAR MEETING
April 17, 2023

G) Consideration and action, if any, on Resolution declaring two (2) surplus vehicles from the Emergency Medical Services (EMS) Department. **This item supports SG - Sound Governance and Fiscal Sustainability.** (EMERGENCY MEDICAL SERVICES)

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on contract between City of Pharr and Garry Moore Amusements for carnival rides for the 2023 HubPhest. **This item supports QL - Quality of Life.** (ADMINISTRATION)

9. LEGAL:

A) Consultation with Legal on Xoticas Rio Grande Valley, L.P., et al, vs. The City of Pharr, et al. Civil Action No. 5:21-CV-00120. (LEGAL)

10. CLOSED SESSION: *In accordance with Chapter 551 of the Texas Gov't. Code, the Pharr Board of Commissioners hereby gives notice that it may meet in a closed (non-public) executive session to discuss the items listed on the public portion of the meeting agenda in accordance with the following below:*

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.

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.

AGENDA REGULAR MEETING
April 17, 2023

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.

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

12. 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 14th day of April 2023 at 3:30 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 14th day of April 2023


HILDA PEDRAZA, TRMOCMC
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: _____

Proclamation



WHEREAS, the term “victim” is more than just a label and has legal standing and protections that go along with it; and

WHEREAS, crime victims’ rights acts passed here in Texas and at the federal level guarantee victims the right to meaningfully participate and use their voice in the criminal justice process; and

WHEREAS, victim service providers, advocates, law enforcement officers, attorneys, and other allied professionals can help survivors find their justice by enforcing these rights; and

WHEREAS, the right to provide an impact statement ensures that victims’ voices are considered in court during the sentencing and, when applicable, restitution processes; and

WHEREAS, including and elevating the voices of survivors makes certain they are heard and seen and creates a path to forging and sustaining community trust; and

WHEREAS, survivors’ lived experience can serve as a catalyst for implementing innovative programs, shifting existing programs in new directions, and changing policies or practices that prevent survivors from accessing services or pursuing justice; and

WHEREAS, National Crime Victims’ Right Week provides an opportunity to recommit to listening to crime survivors in every space where decisions are made that could impact them; and

WHEREAS, City of Pharr is hereby dedicated to amplifying the voices of survivors and creating an environment where survivors have the confidence that they will be heard, believed, and supported.

NOW THEREFORE, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, by virtue of the authority vested in me and on behalf of City Commission, do hereby proclaim the week of April 23-29, 2023, as:

“National Crime Victims’ Rights Week”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 17th day of April 2023.

CITY OF PHARR

Ambrosio Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 2.B.

DATE SUBMITTED: April 5, 2023

MEETING DATE: April 17, 2023

FROM: Linda Coronado, Secretary

DEPARTMENT: Library

DIRECTOR: Adolfo Garcia

Agenda Item: Proclamation proclaiming the week of April 23-29 as National Library Week.

Classification: Regular

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

Issue: Proclamation

Fiscal Consideration: N/A

Staff Recommendation: Recommend approval

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Linda Coronado
Adolfo Garcia
City Management Office

Created/Initiated - 4/5/2023
Approved - 4/12/2023
Final Approval - 4/14/2023

Proclamation



WHEREAS, libraries provide the opportunity for everyone to pursue their passions and engage in lifelong learning, allowing them to live their best life; and

WHEREAS, libraries have long served as trusted institutions for all members of the community; and

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and

WHEREAS, libraries adapt to the ever-changing needs of their communities, continually expanding their collections, services, and partnerships; and

WHEREAS, libraries play a critical role in the economic vitality of communities by providing internet and technology access, literacy skills, and support for job seekers, small businesses, and entrepreneurs; and

WHEREAS, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals; and

WHEREAS, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all; and

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week.

NOW THEREFORE, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, by virtue of the authority vested in me and on behalf the City Commission, do hereby proclaim April 23-29, 2023 as:

“National Library Week”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 17th day of April 2023.

CITY OF PHARR

Ambrosio Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.A.

DATE SUBMITTED:

MEETING DATE: April 17, 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 #: 5.A.

DATE SUBMITTED: April 14, 2023

MEETING DATE: April 17, 2023

FROM: Karla Saavedra, Finance Director

DEPARTMENT: Finance

DIRECTOR: Karla Saavedra

Agenda Item: Submission of Sales Tax Collection Report for April 2023. **This item supports SG - Sound Governance and Fiscal Sustainability.**

Classification: Regular

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

Issue: SALES TAX HIGHLIGHTS

The City of Pharr shows an INCREASE of 3.40% YTD TRUE GROWTH compared to last Year 2022 and 1.63% compared to last April 2022 Payments.

Fiscal Consideration:

n/a

Staff Recommendation: Presentation only

Alternatives: n/a

Exclude Material from Public Packet? No

Reason: n/a

ROUTING:

Karla Saavedra
Patricia Rigney
City Management Office

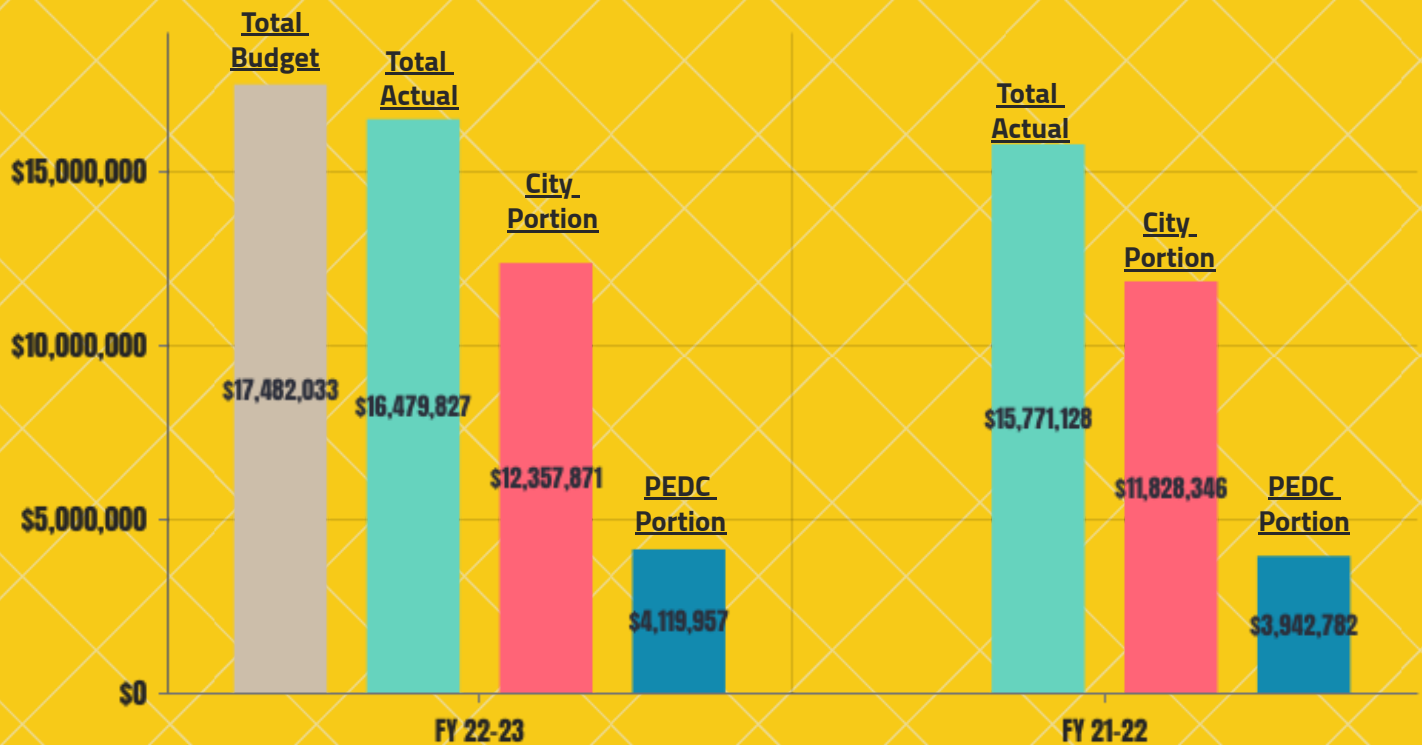
Created/Initiated - 4/14/2023
Approved - 4/14/2023
Final Approval - 4/14/2023



CITY OF PHARR SALES TAXES

as of April 2023
FY 2022-2023

SALES TAXES COLLECTIONS Cash Basis by Fiscal Year



3.40% YTD

Increase in Sales Tax from Last Year*



1.63%

Compared to April 2022 Cash Basis.

**Ranked
No. 9**

compared to neighbor Cities

*Growth is based on Calendar Year per Texas State Comptroller.

FY 22-23 (7th month) growth is 4.49 % YTD

CREATED BY

Karla Saavedra, CGFO





AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.B.

DATE SUBMITTED:

MEETING DATE: April 17, 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 #: 6.A.

DATE SUBMITTED:

MEETING DATE: April 17, 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 #: 6.A.1.

DATE SUBMITTED: April 11, 2023

MEETING DATE: April 17, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Taqueria Tepeque Express, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C). The property is legally described as being 0.041 acres, more or less, out of Lot 2, Hacienda Santa Lucia Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 701 East Nolana Loop, Suite #3A. CUP#230384 **This item supports EV - Economic Vitality.**

Classification: Public Hearing

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

Issue: Taqueria Tepeque Express, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C).

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommended approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

Planning & Zoning Commission Recommendation: The Planning and Zoning Commission voted unanimously to approve the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to site being in compliance with all City Ordinances and City Department requirements at their meeting of April 10, 2023.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza

Created/Initiated - 4/11/2023
Approved - 4/11/2023
Approved - 4/12/2023

City Management Office

Final Approval - 4/14/2023



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, APRIL 17, 2023

TO: MAYOR AND CITY COMMISSION

FROM: KIMBERLY MENDOZA, DEVELOPMENT SERVICES DIRECTOR

THROUGH: ANALI ALANIS, INTERIM CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT FOR ABC FILE NO. CUP#230384 (TAQUERIA TEPEQUE EXPRESS)

GENERAL INFORMATION:

APPLICANT: Taqueria Tepeque Express, is requesting a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being 0.041 acres, more or less, out of Lot 2, Hacienda Santa Lucia Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 701 East Nolana Loop, Suite #3A.

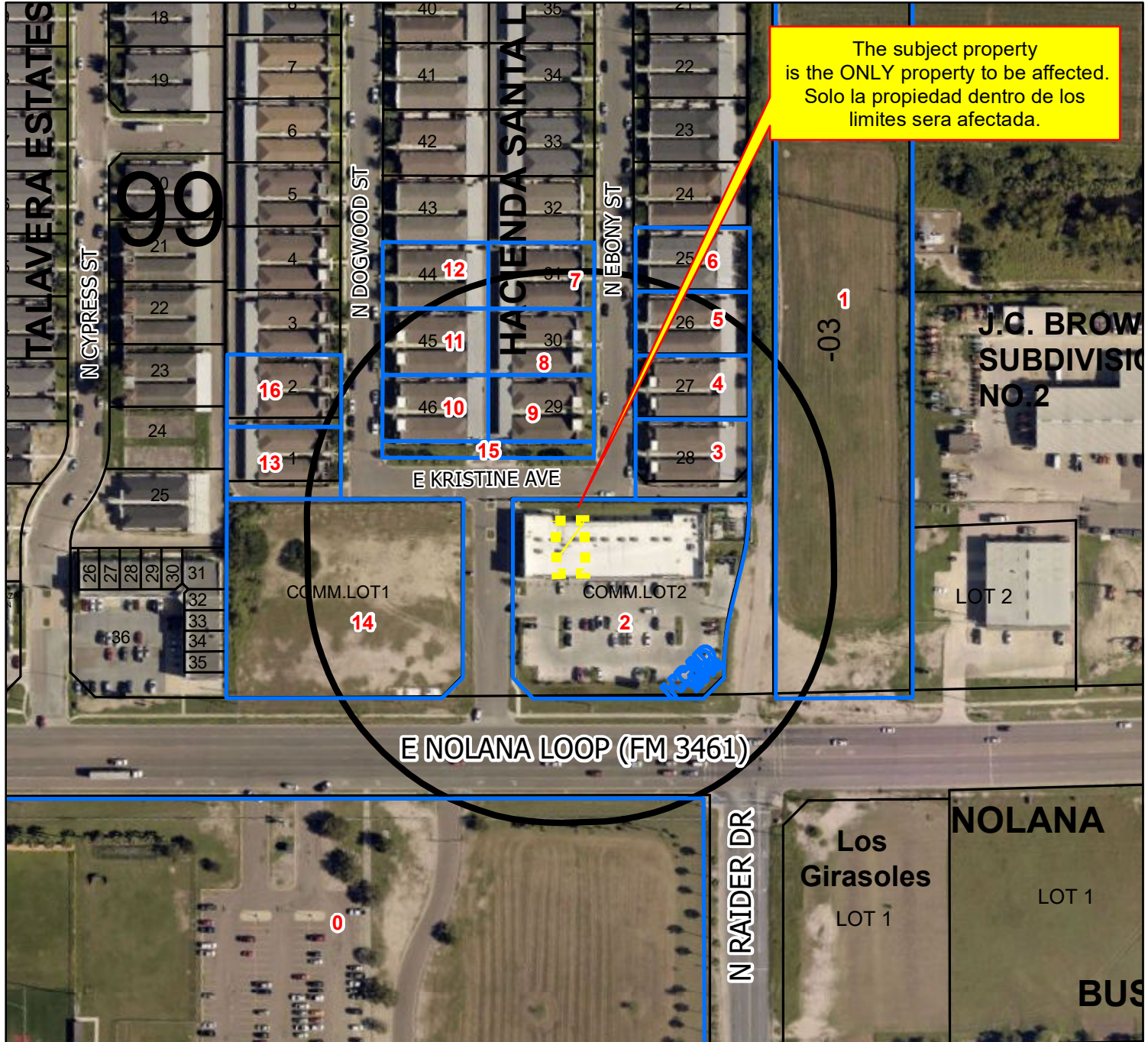
ZONING: The property is currently zoned General Business District (C). The adjacent zoning is General Business District (C) to the east and west. The property to the north is zoned Residential Multi-Family High Density (R-MFHD). The property to the south is zoned Agricultural and/or Open Space District (A-O). The area is generally designated for commercial in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit.
	CODE COMPLIANCE:	Recommends approval of the Conditional Use Permit.
	HEALTH:	Recommends approval of the Conditional Use Permit.
	DEVELOPMENT SERVICES:	Recommends approval of the Conditional Use Permit.
NOTIFICATION OF PUBLIC:	Sixteen (16) surrounding property owners were notified of the request by letter on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.	
DEVELOPMENT SERVICES RECOMMENDATIONS:	Development Services recommended <u>approval</u> of the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.	
PLANNING & ZONING COMMISSION:	The Planning and Zoning Commission voted unanimously to <u>approve</u> the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to site being in compliance with all City Ordinances and City Department requirements at their meeting of April 10, 2023.	

Proposed Conditional Use Permit
701 E Nolana Loop - 0.041 ac, out of Lot 2,
Hacienda Santa Lucia Subdivision
Blanca Rosa Amezcua Munguia



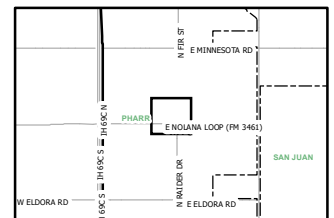
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|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential Multi-Family | Business District | Hidalgo ISD |
| Residential Multi-Family High Density | Drainage Easement | Valley View ISD |
| Mobile Home | Heavy Commercial | Planned Unit Development |
| Townhouse | Heavy Industrial | |
| HUD Code | Limited Industrial | |

- Location
- Notified Properties
- 300 ft. Notification Buffer

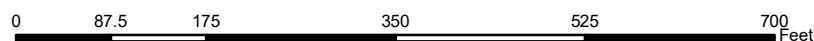
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



City of Pharr, Texas
Engineering Department
956.402.4242

Date: 4/4/2023

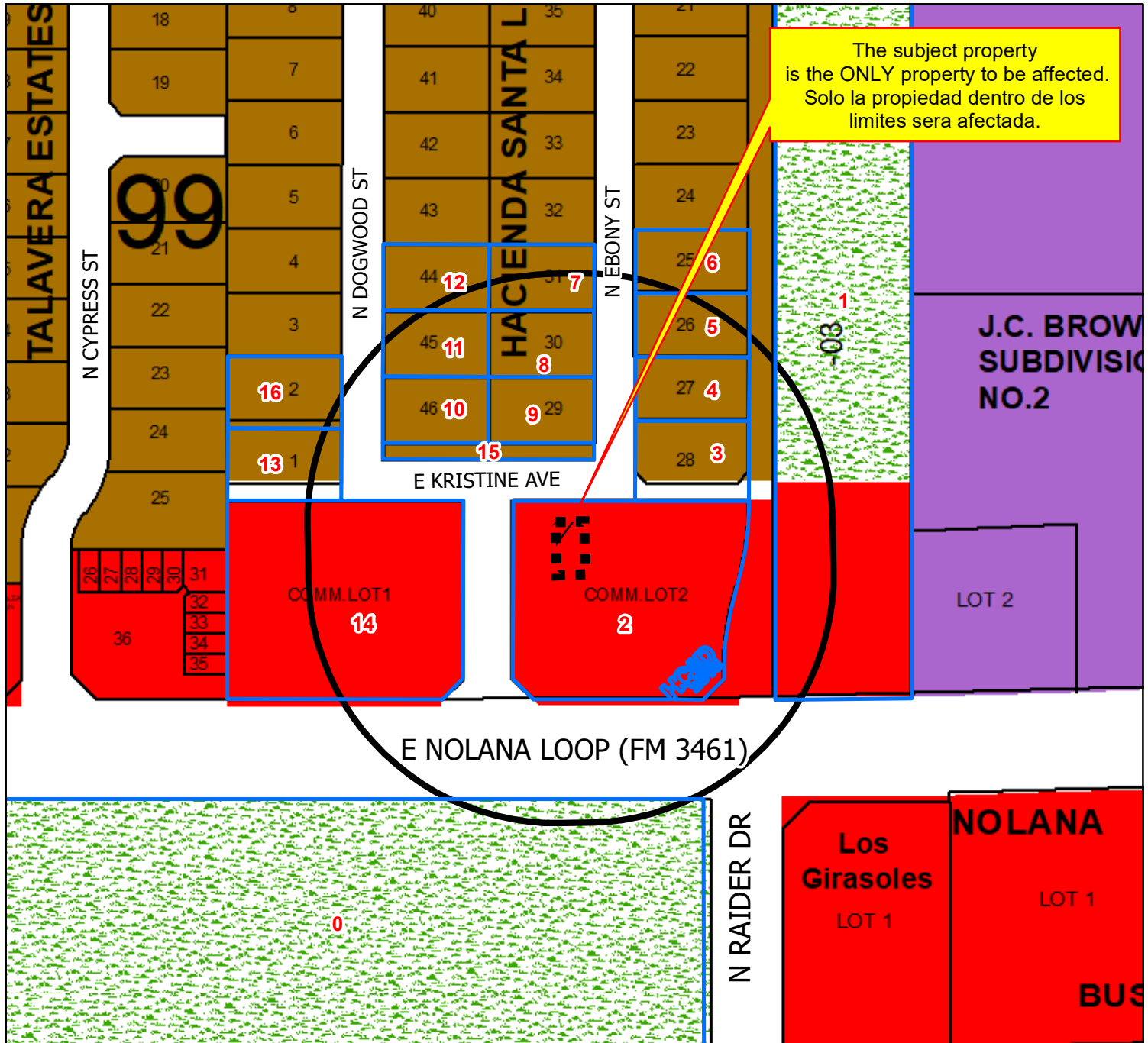
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Proposed Conditional Use Permit
701 E Nolana Loop - 0.041 ac, out of Lot 2,
Hacienda Santa Lucia Subdivision
Blanca Rosa Amezcua Munguia



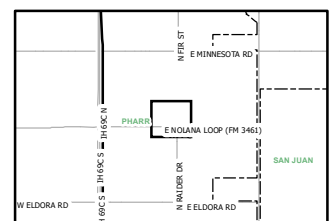
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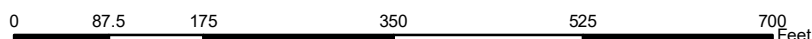
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City of Pharr, Texas
Engineering Department
956.402.4242

Date: 4/4/2023

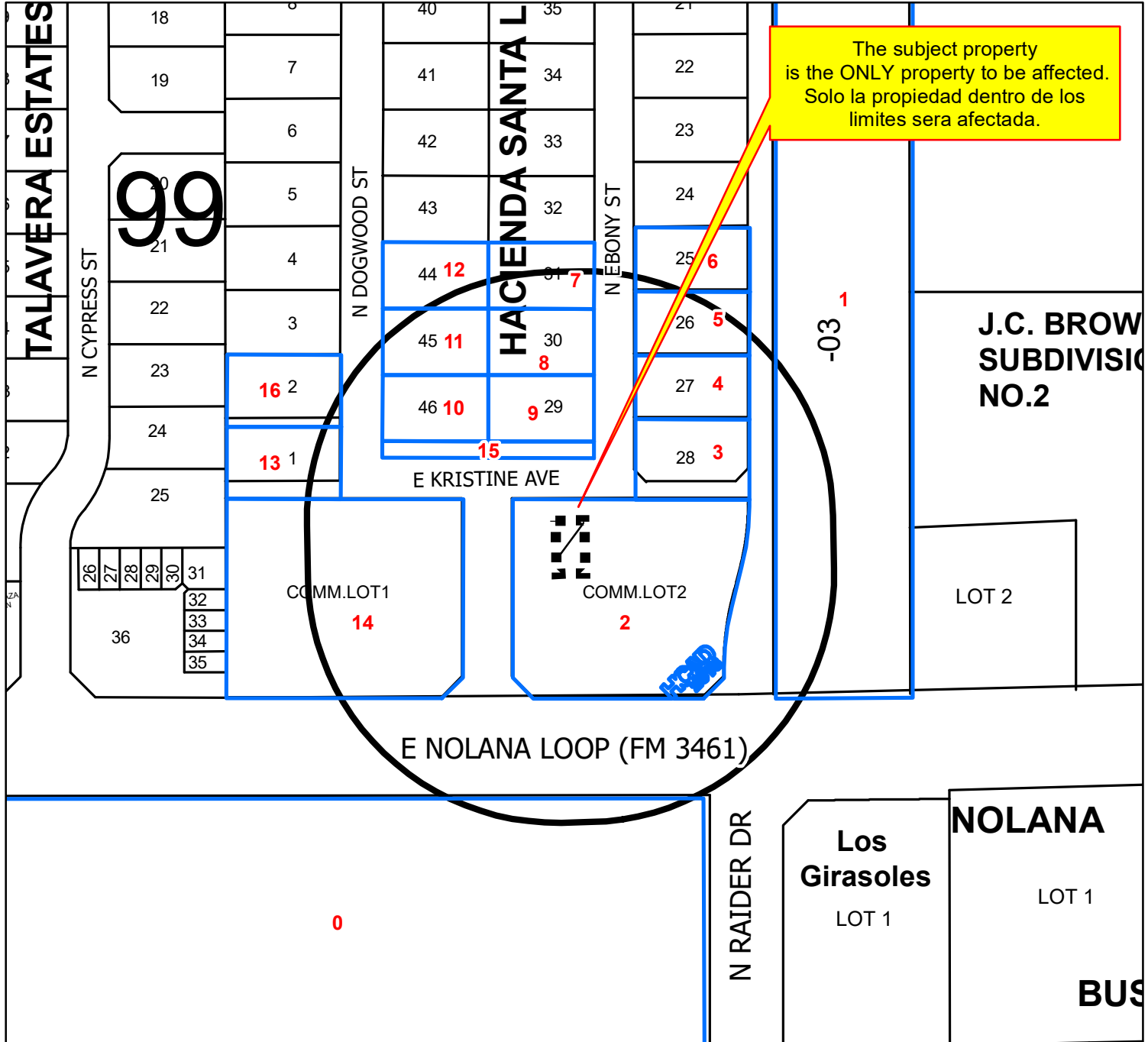
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Proposed Conditional Use Permit
701 E Nolana Loop - 0.041 ac, out of Lot 2,
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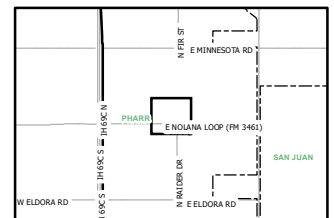
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- | | | |
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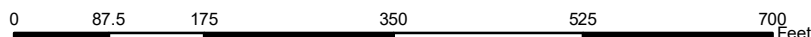
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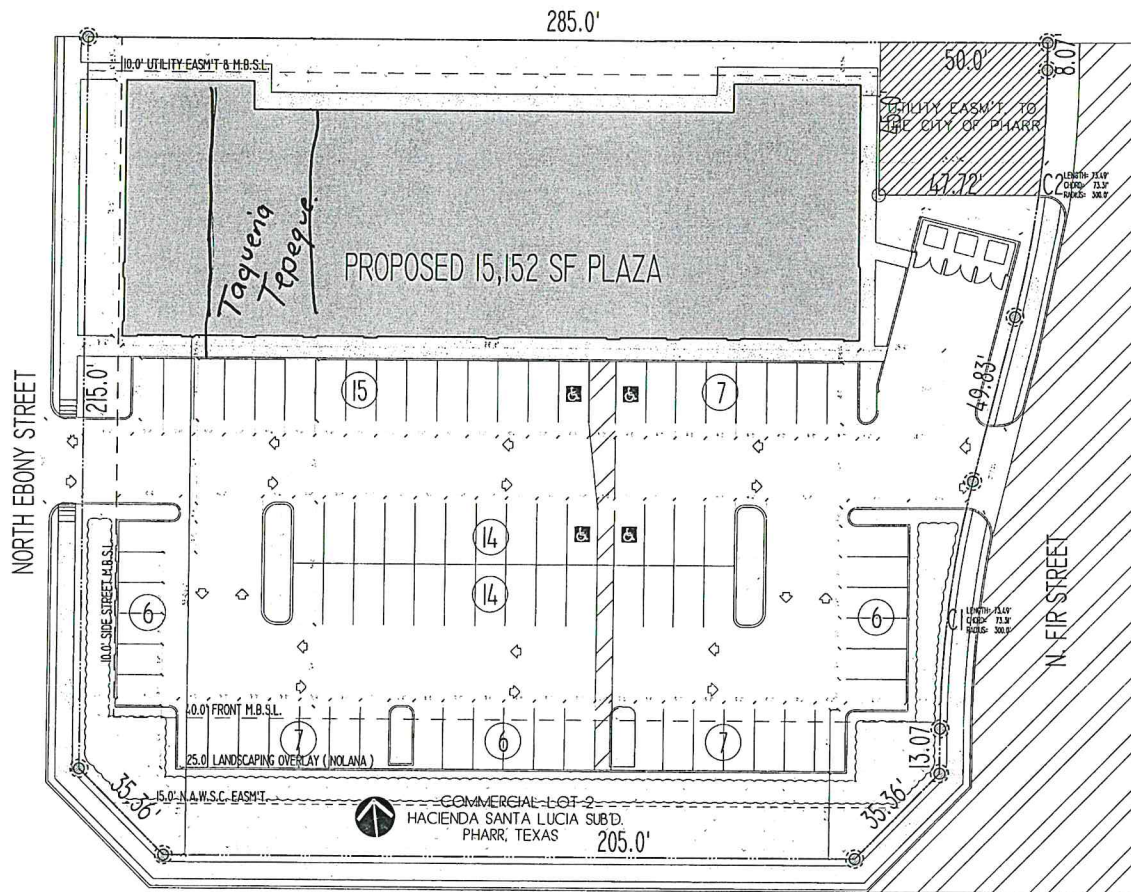


City of Pharr, Texas
Engineering Department
956.402.4242

Date: 4/4/2023

Scale: 1 inch = 177 feet





SITE PLAN
SCALE 1/16" = 1'-0"

PROJECT
SANTA LUCIA II PLAZA

OWNER:



CHAPAGROUP

LOCATION:
701 E. NOLANA AVENUE
PHARR, TEXAS 78577

AREAS BUILDING

SUITE 1	1,412 SF
SUITE 2	1,364 SF
SUITE 3	2,400 SF
SUITE 4	2,400 SF
SUITE 5	2,400 SF
SUITE 6	2,400 SF
SUITE 7	1,364 SF
SUITE 8	1,412 SF

TOTAL: 15,152 SF

NOTE: THE ABOVE AREAS ARE
APPROXIMATIONS OF P.A.D.
AREAS. ACTUAL LEASE
SPACE COULD VARY SLIGHTLY
DEPENDENT ON BUILDING'S
ARCHITECTURAL FOOTPRINT.

GRAPHIC SYMBOLS & NOTES:

DIRECTION



PLAN

SITEPLAN

DATE:
12.12.2017

SHEET No.
5 of 5

DRAWN BY:
DANIEL A.



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.A.2.

DATE SUBMITTED: April 11, 2023

MEETING DATE: April 17, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Emigdio "Milo" Salinas, P.E., representing Blu-Man Investments, LLC. 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 Limited Industrial District (L-I). The property is legally described as being 17.425 acres, more or less, out of Lot 6 and Lot 7, out of Re-subdivision of Closner Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 10400 Block of South Veterans Boulevard. COZ#230382 **This item supports EV - Economic Vitality.**

Classification: Public Hearing

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

Issue: Emigdio "Milo" Salinas, P.E., representing Blu-Man Investments, LLC. 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 Limited Industrial District (L-I).

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) 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.

Planning & Zoning Commission Recommendation: The Planning and Zoning Commission voted unanimously to recommend approval of the rezoning request from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) at their meeting of April 10, 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
Kimberly Mendoza

Created/Initiated - 4/11/2023
Approved - 4/11/2023
Approved - 4/12/2023

City Management Office

Final Approval - 4/14/2023

MEMORANDUM

DATE: MONDAY, APRIL 17, 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 Limited Industrial District (L-I). The property is legally described as being 17.425 acres, more or less, out of Lot 6 and Lot 7, out of Re-subdivision of Closner Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 10400 Block of South Veterans Road. COZ#230382
--

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:

Emigdio "Milo" Salinas, P.E., representing Blu-Man Investments, LLC., 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 Limited Industrial District (L-I) in order to develop and construct some buildings and a parking facility.

The subject site is located on the northeast corner of South Veterans Boulevard and West Military Hwy and has a physical address within the 10400 Block of South Veterans Boulevard. The property is legally described as being 17.425 acres, more or less, out of Lot 6 and Lot 7, out of the Re-subdivision of Closner Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Veterans Boulevard, a 100-foot minor arterial, that runs north and south with a posted speed limit of 30 to 45 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property was zoned Agricultural and/or Open Space District (A-O) upon annexation on February 20, 2023. The properties to the north, east and south are outside city limits. A portion of the properties to the west were zoned to Agricultural and/or Open Space District (A-O) on November 19, 1991, and remaining portion is zoned Single-Family Residential District (R-1). The property is generally designated for industrial use in the Land Use Plan.

The Limited Industrial District (L-I) is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered, and no external effects such as excessive noise or odor should extend beyond the property lines. The sites for such uses are typically a minimum of two acres and average five to ten acres, with a significant amount of land dedicated to landscaping.

Fourteen (14) letters were mailed out to the surrounding property owners on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.

Development Services recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) 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 approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) at the meeting on April 10, 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

Emigdio “Milo” Salinas, P.E., representing Blu-Man Investments, LLC., owner

APPLICANT

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

CURRENT ZONE

10400 Block of South Veterans Boulevard

ADDRESS

Limited Industrial District (L-I)

	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

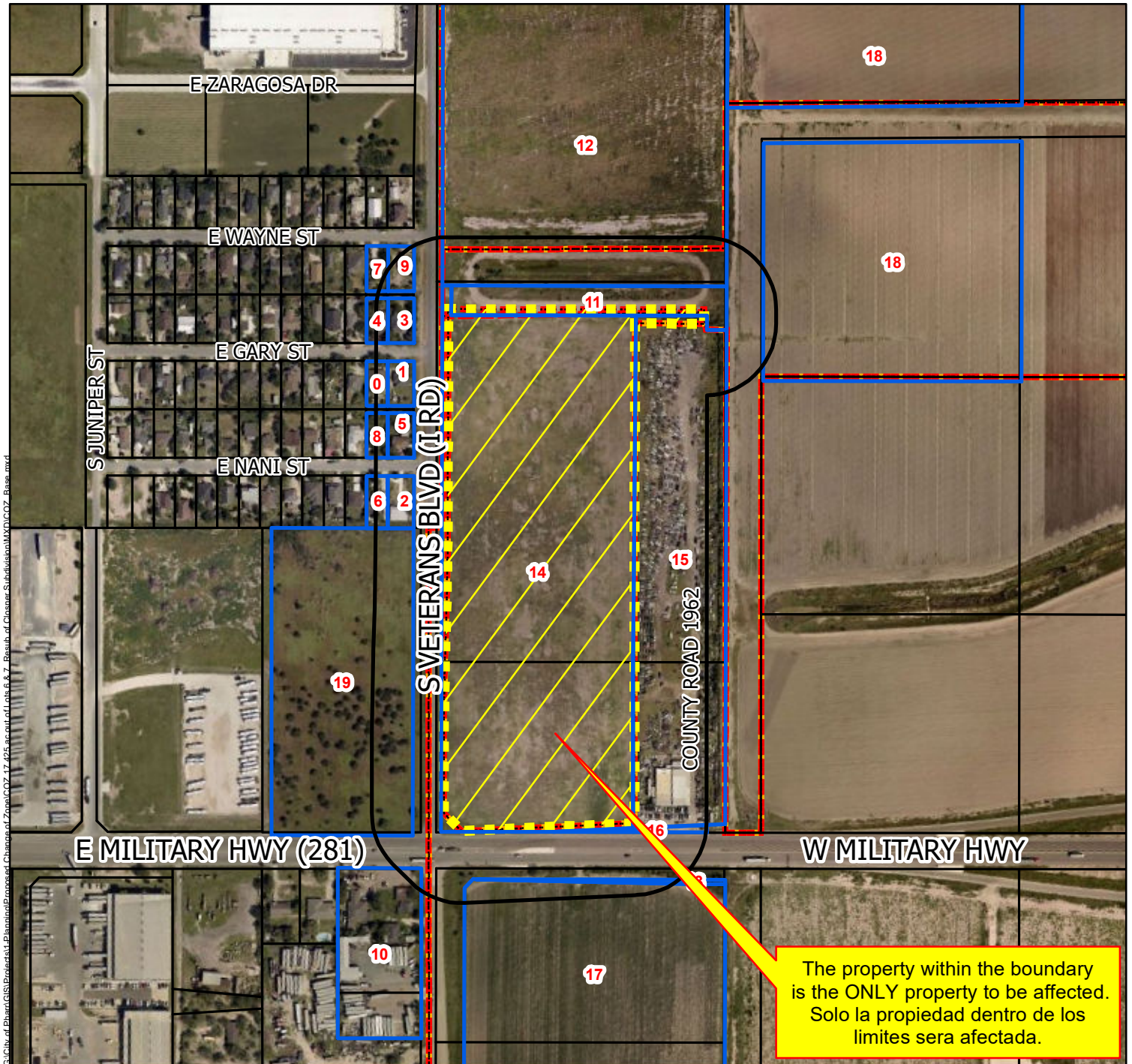
Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) as the property meets area requirements and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and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

Anaisa Licerio, Planner II

PREPARED BY

April 4, 2023

DATE



Zoning

ZONE

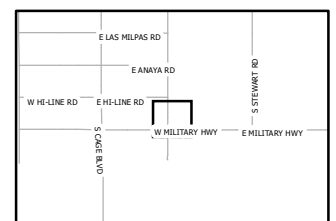
- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

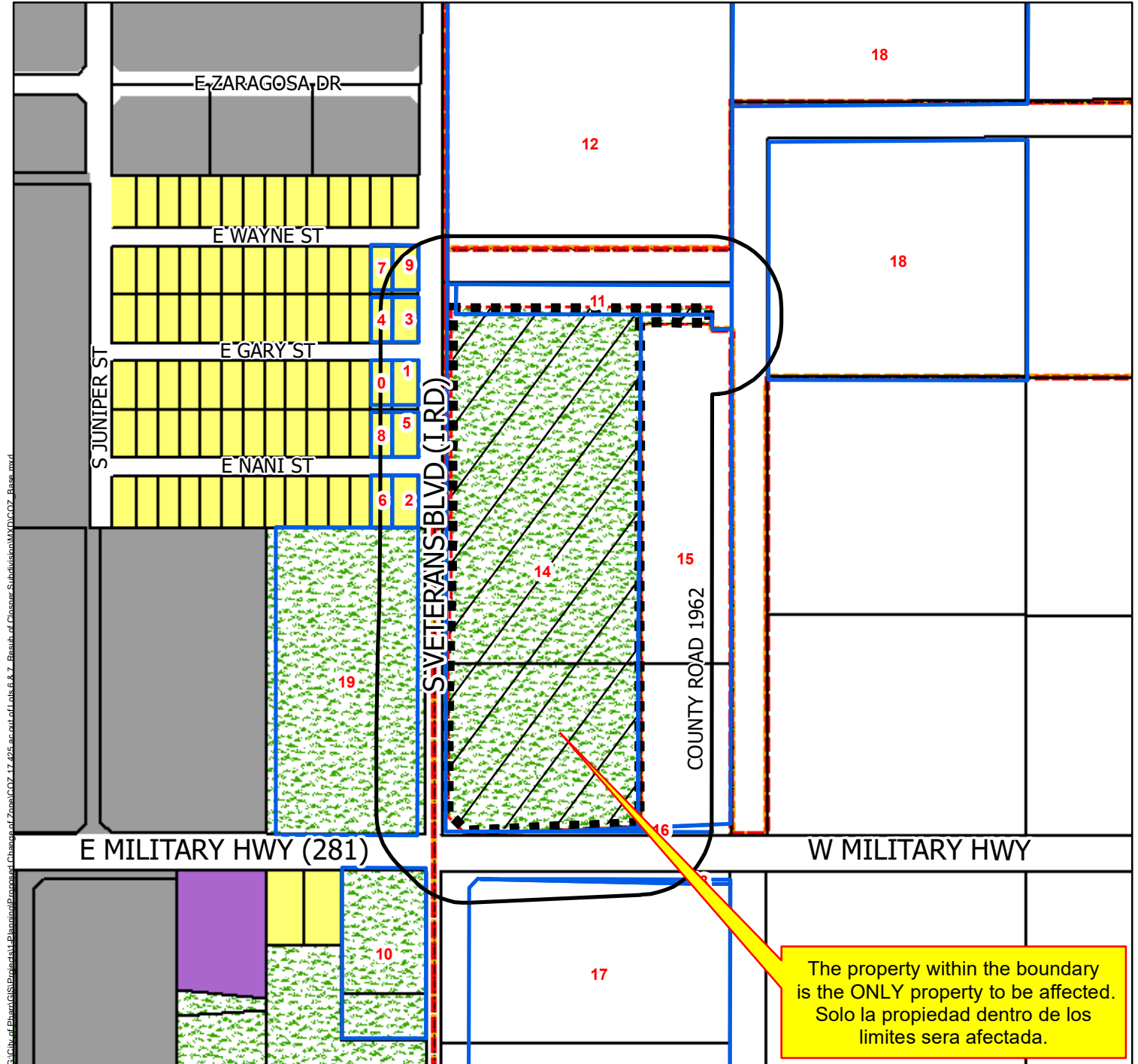
- Townhouse
- HUD Code
- Rail Road R.O.W
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial

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

- 200 ft Radius
- 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.





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

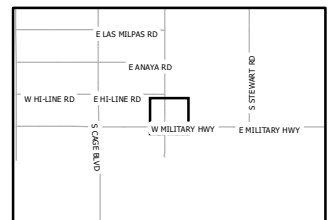
Planned Unit Development

200 ft Radius

Notified Properties

Subject Property

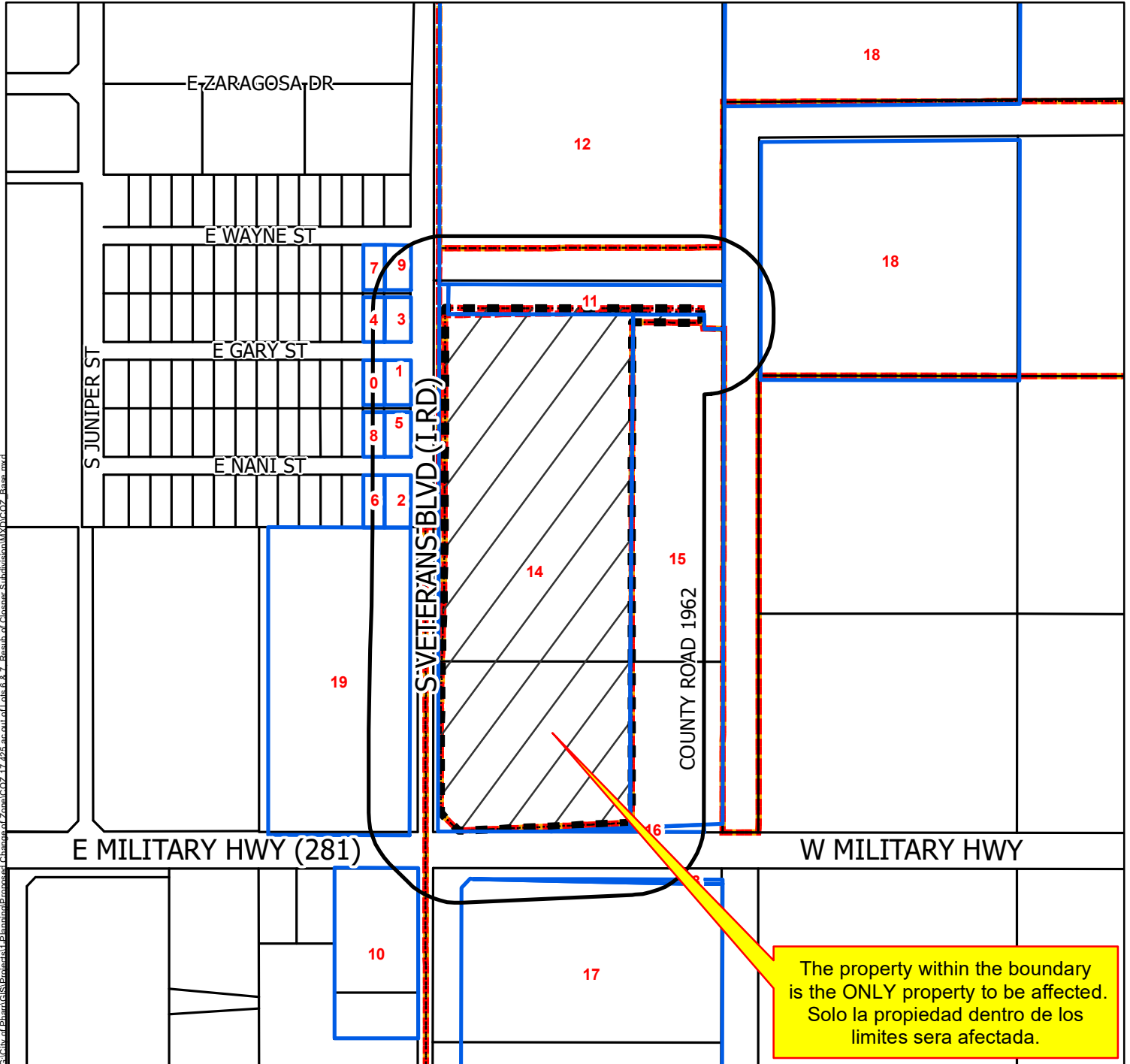
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Proposed Change of Zone
10400 Blk S. Veterans Blvd - 17.425 ac out of Lots 6 & 7
Emigdio Salinas, P.E.



C:\Users\Pharr\GIS\Desktop\Proposed Change of Zone\COZ 17 425 ac out of lots 6 & 7 - Block of Census Subdivisions\PHCOZ_Base.mxd



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

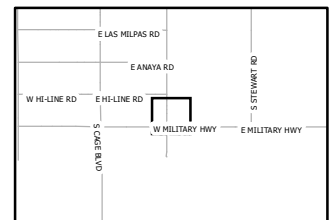
- 200 ft Radius
- Notified Properties
- Subject Property

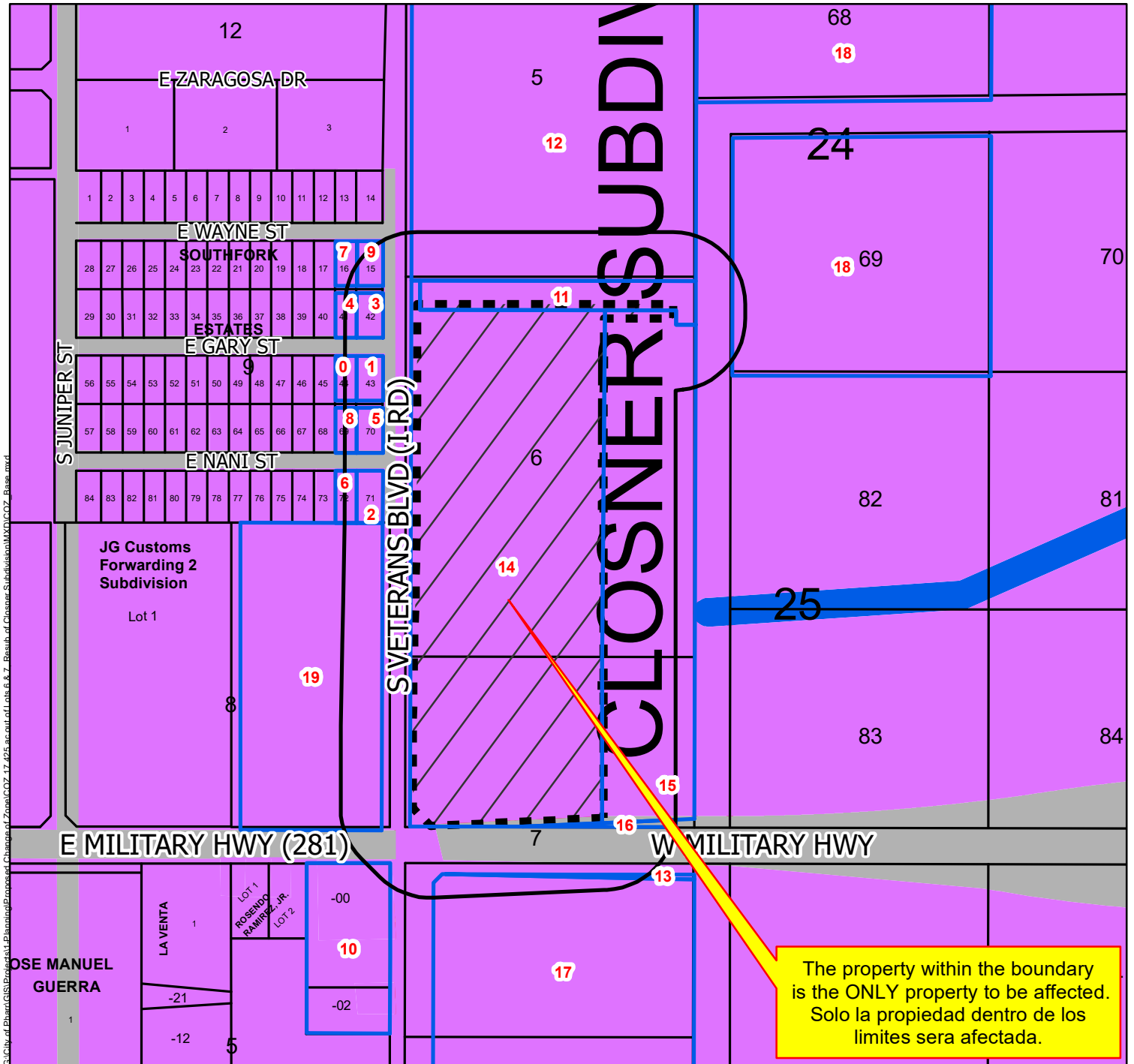
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City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/20/2023

Scale: 1 inch = 400 feet





Zoning

ZONE

- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home
- Townhouse
- HUD Code
- General Business
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional

- 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

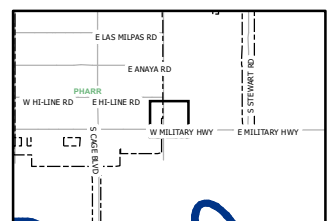
Future Land Use

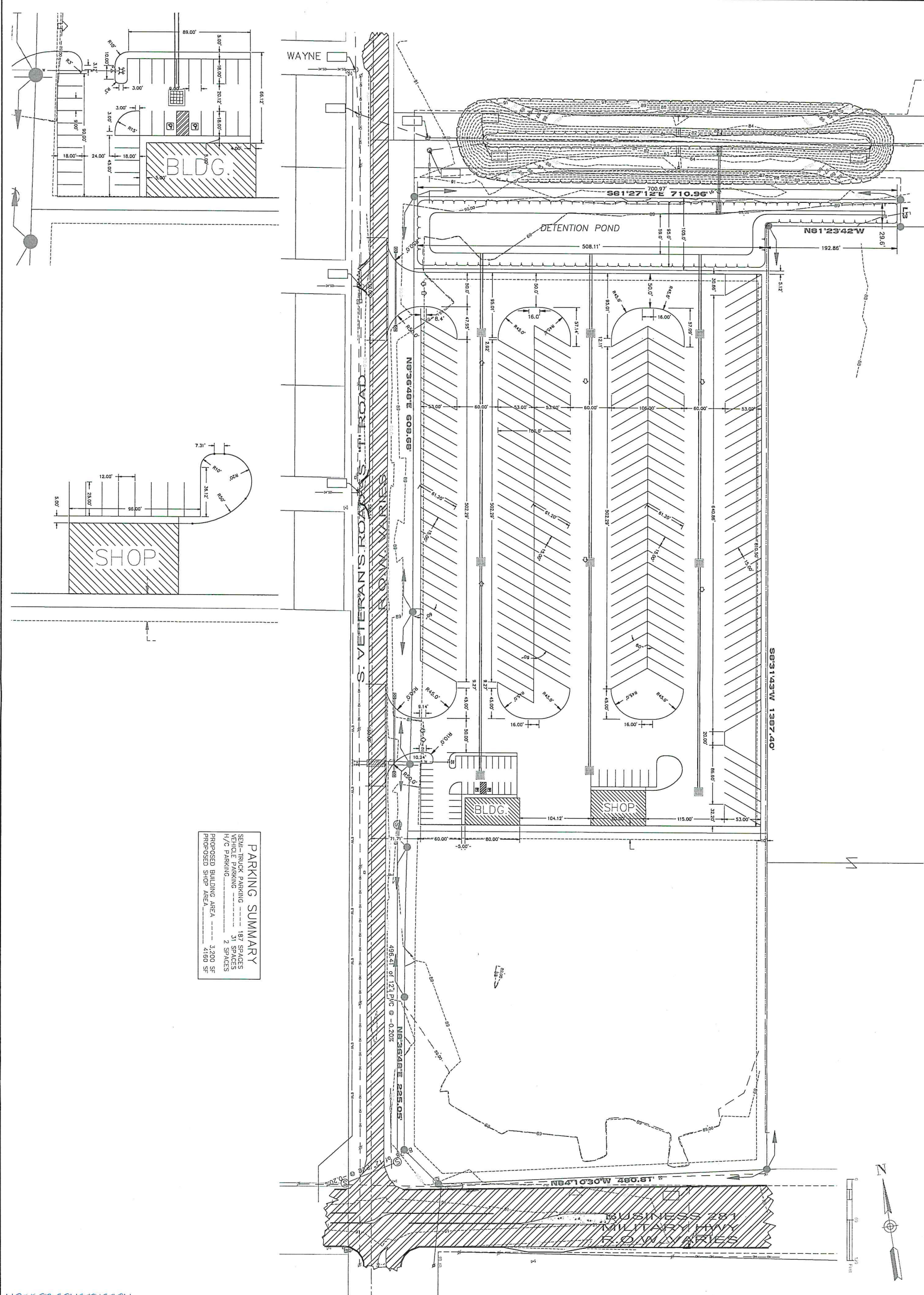
FUTURELAND

- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.

- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Notified Properties
- 200 ft Radius

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.





PARKING SUMMARY	
SEMI-TRUCK PARKING	187 SPACES
VEHICLE PARKING	31 SPACES
H/C PARKING	2 SPACES
PROPOSED BUILDING AREA	3,200 SF
PROPOSED SHOP AREA	4,180 SF

NOT FOR CONSTRUCTION

SCALE:

DRAWN BY: CADTech4

CHECKED BY: EMIGDIO SALINAS

SUPERSEDED BY: HOMEROL GUTIERREZ

SHEET: C3.0

THIS DOCUMENT IS
RELEASED FOR THE
PURPOSE OF INTERIM
REVIEW UNDER THE
AUTHORITY OF
EMIGDIO "MILO" SALINAS
P.E. 107703 ON
01/31/23
IT IS NOT TO BE USED
FOR CONSTRUCTION.

HORIZONTAL CONTROL PLAN

BLUE-MAN ACRES
PHARR, TEXAS



M2
Engineering, PLLC

TBPELS FIRM REGISTRATION F-19545

Emigdio "Milo" Salinas, P.E.
PO BOX 5069
MCALLEN TX 78502
956.227.5327
milo@m2-engineers.com
FIRM REGISTRATION # F-19545



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.A.3.

DATE SUBMITTED: April 11, 2023

MEETING DATE: April 17, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Al Yazji Development LLC., representing ASAS ECO LLC., 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 General Business District (C). The property is legally described as being 6.987 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 4800 North Jackson Road. COZ#230385 **This item supports EV - Economic Vitality.**

Classification: Public Hearing

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

Issue: Al Yazji Development LLC., representing ASAS ECO LLC., 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 General Business District (C).

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommended approval of the request to re-zone to 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.

Planning & Zoning Commission Recommendation: 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 April 10, 2023. There were four members present and voting.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza

Created/Initiated - 4/11/2023
Approved - 4/11/2023
Approved - 4/12/2023

City Management Office

Final Approval - 4/14/2023



MEMORANDUM

DATE: MONDAY, APRIL 17, 2023

TO: MAYOR AND CITY COMMISSION

FROM: KIMBERLY MENDOZA, DIRECTOR OF DEVELOPMENT SERVICES

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 6.987 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 4800 North Jackson Road. COZ#230385

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:

Al Yazji Development LLC., representing ASAS ECO LLC., 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 General Business District (C) in order to develop and construct a commercial plaza.

The subject site is located on the east side of North Jackson Road, approximately 675 feet north of West Nolana Loop and has a physical address of 4800 North Jackson Road. The property is legally described as being 6.987 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas.

The property fronts North Jackson Road, a 120-ft. principal arterial 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). The property to the north was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on April 01, 2008. The property to the east was zoned Agricultural and/or Open Space District (A-O) on September 04, 1990, upon annexation to the City of Pharr. The property to the south was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on June 07, 2011. The city limits lie to the west side of the property. There have been no other zoning requests within the vicinity of the subject property since that time. The property is generally designated for commercial 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 more 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.

Three (3) letters were mailed out to the surrounding property owners on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.

Development Services recommended 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 approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C) at the meeting on April 10, 2023.

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.**



Pharr

Development Services



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Al Yazji Development LLC.,
representing ASAS ECO LLC., owners,
APPLICANT

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

4800 North Jackson Road
ADDRESS

General Business District (C)
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:

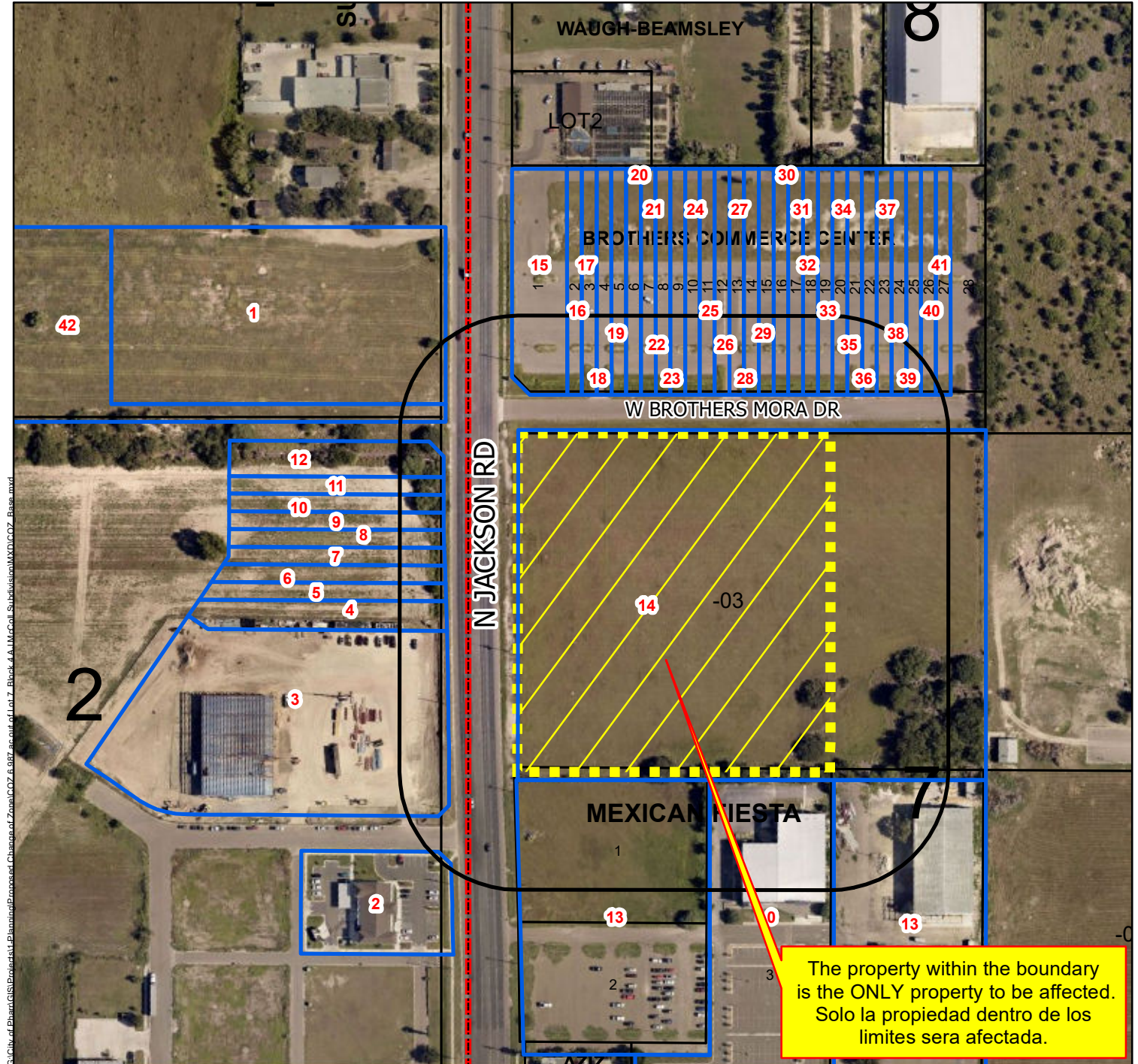
Approval

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

April 4, 2023
DATE

Proposed Change of Zone
6.987 ac out of Lot 7, Block 4 AJ McColl Subdivision
Mouayad H. Yazji



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

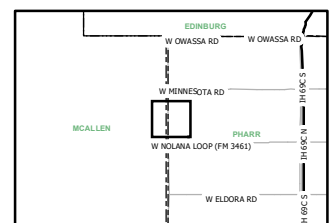
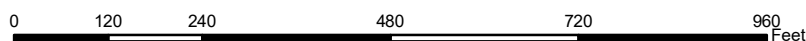
- 200 foot Radius
- Notified Properties
- Subject Property

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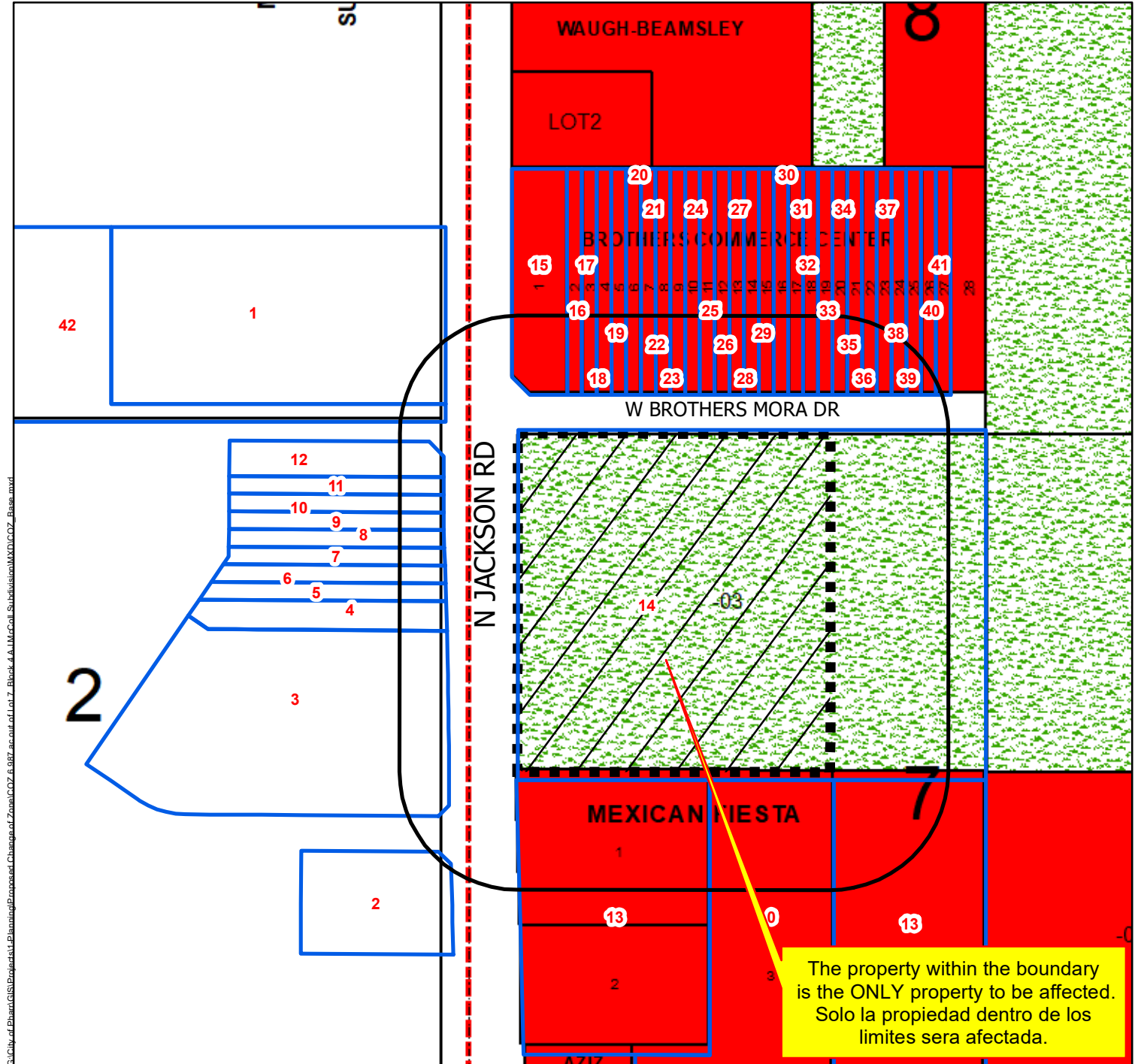
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/23/2023

Scale: 1 inch = 245 feet



Proposed Change of Zone
6.987 ac out of Lot 7, Block 4 AJ McColl Subdivision
Mouayad H. Yazji



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

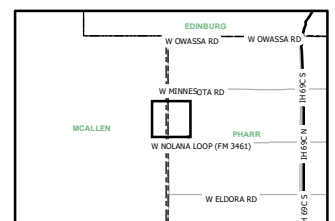
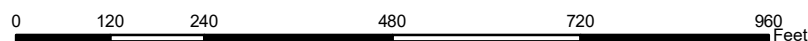
- 200 foot Radius
- Notified Properties
- Subject Property

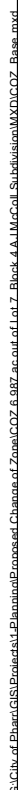
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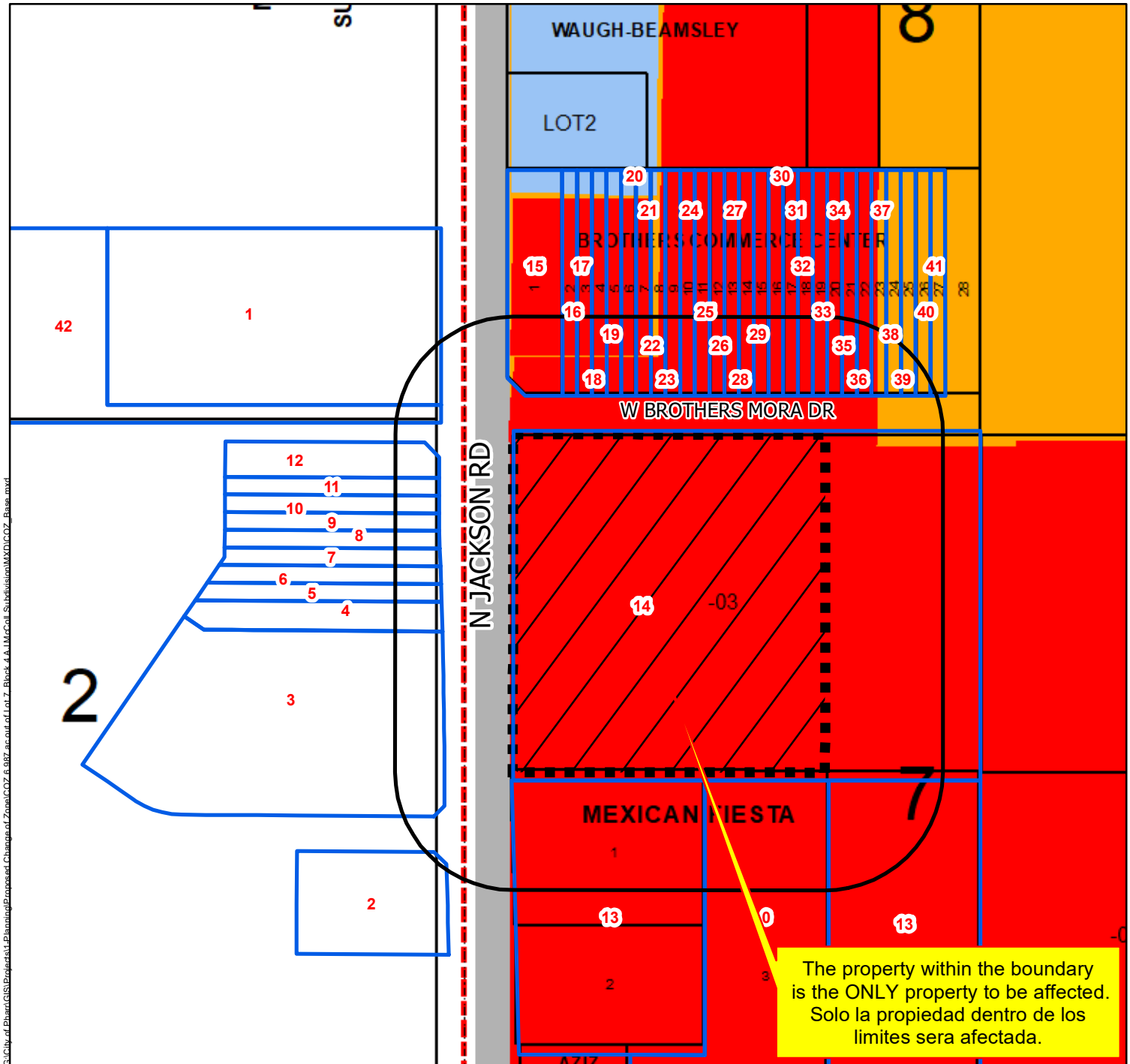
City of Pharr, Texas
Engineering Department
956.402.4242

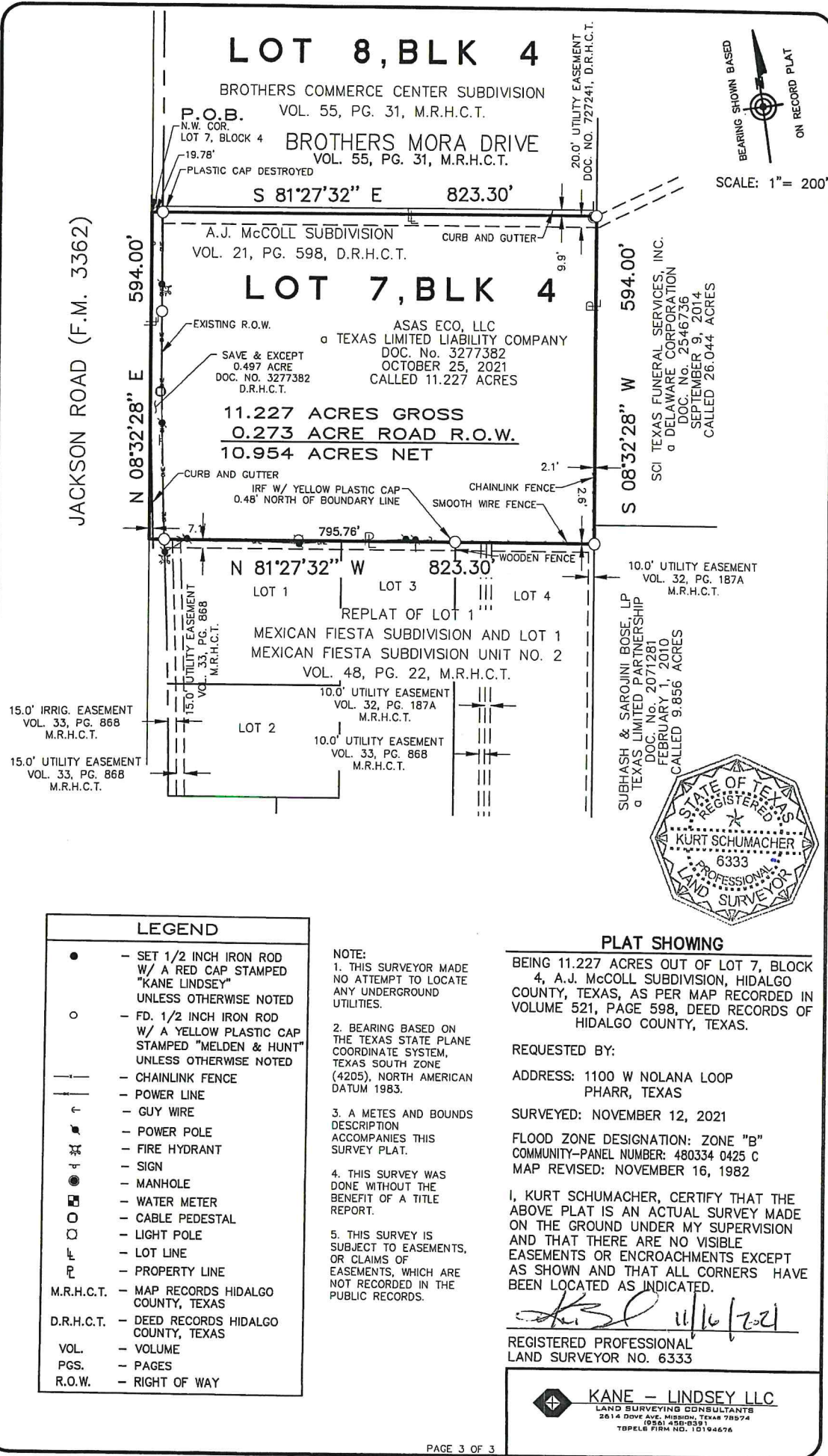
Date: 3/23/2023

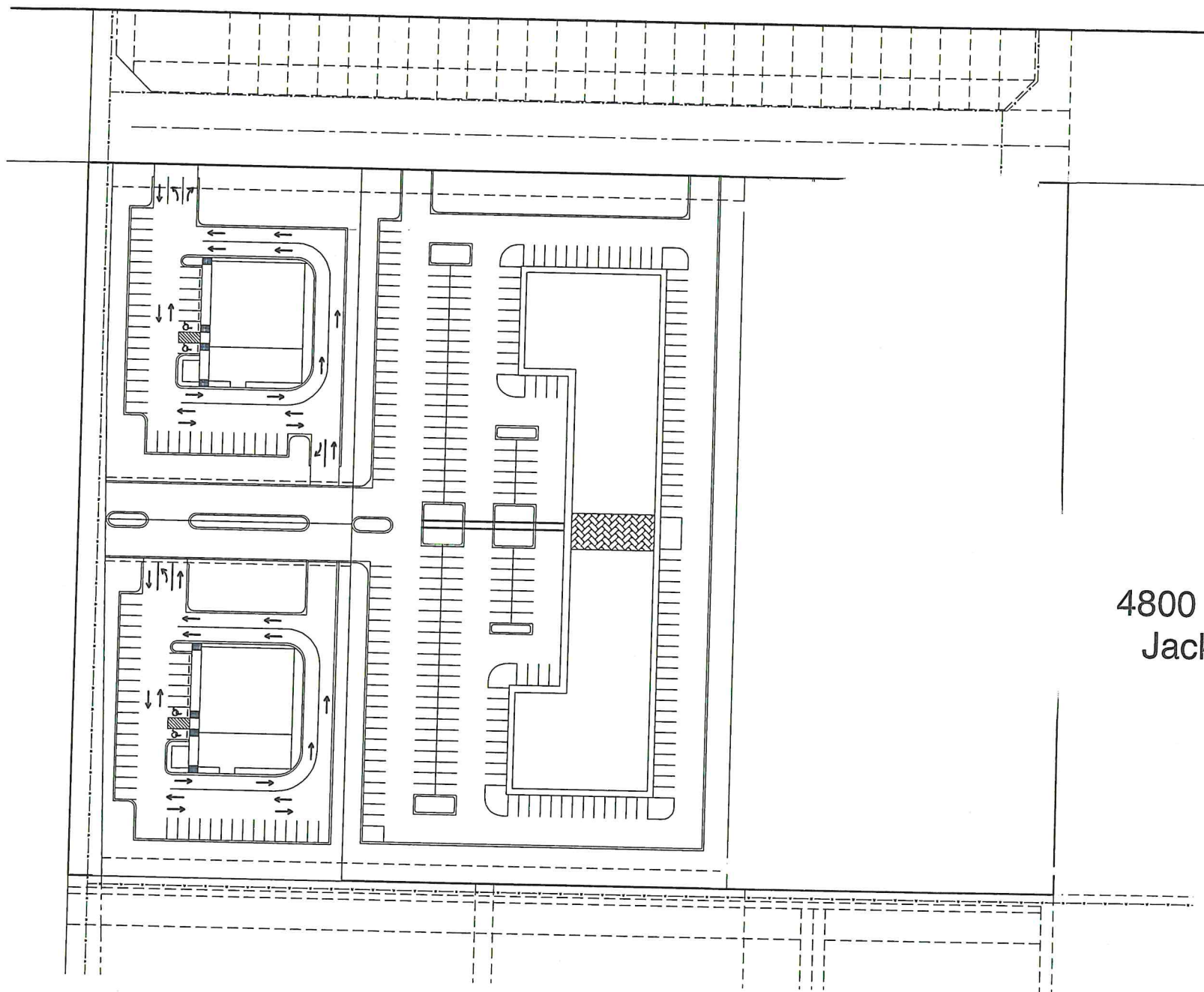
Scale: 1 inch = 245 feet











4800 North
Jackson



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.A.4.

DATE SUBMITTED: April 11, 2023

MEETING DATE: April 17, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Macumba Paradise, LLC., d/b/a La Cabaña Sinaloense, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1209 East Nolana Loop. CUP#160736 **This item supports EV - Economic Vitality.**

Classification: Regular

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

Issue: Macumba Paradise, LLC., d/b/a La Cabaña Sinaloense, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommends approval of the renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to site and applicant being in compliance with all City Ordinances and City Department requirements.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza
City Management Office

Created/Initiated - 4/11/2023
Approved - 4/11/2023
Approved - 4/12/2023
Final Approval - 4/14/2023



Pharr



MAYOR Ambrosio Hernandez, MD

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero, MD | Daniel Chavez | Ricardo Medina | Itza Flores

Executive Summary Letter

April 17, 2023

Conditional Use Permit **Renewal** for ABC –

Macumba Paradise, LLC, d/b/a
La Cabaña Sinaloense,

Background:

Macumba Paradise, LLC., d/b/a La Cabaña Sinaloense, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 6th renewal for Macumba Paradise.

The property is located at 1209 East Nolana Loop. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the request for renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.



MEMORANDUM

DATE: MONDAY, APRIL 17, 2023

TO: MAYOR AND CITY COMMISSION

FROM: KIMBERLY MENDOZA, DIRECTOR OF DEVELOPMENT SERVICES

THROUGH: ANALI ALANIS, INTERIM CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT AND LATE HOURS PERMIT RENEWAL FOR ABC – FILE NO. CUP#160736 (MACUMBA PARADISE LLC, D/B/A LA CABAÑA SINALOENSE)
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GENERAL INFORMATION:

APPLICANT: Macumba Paradise, LLC., d/b/a La Cabaña Sinaloense, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located at 1209 East Nolana Loop.

ZONING: The property is currently zoned General Business District (C). The surrounding properties are zoned Agricultural and/or Open Space District (A-O) to the north and General Business District (C) to the west, east and south. The area is generally designated for commercial use in the Land Use Plan.

COMMENTS:

POLICE CHIEF: Recommends approval of the Conditional Use Permit.

FIRE DEPARTMENT: Recommends approval of the Conditional Use Permit.

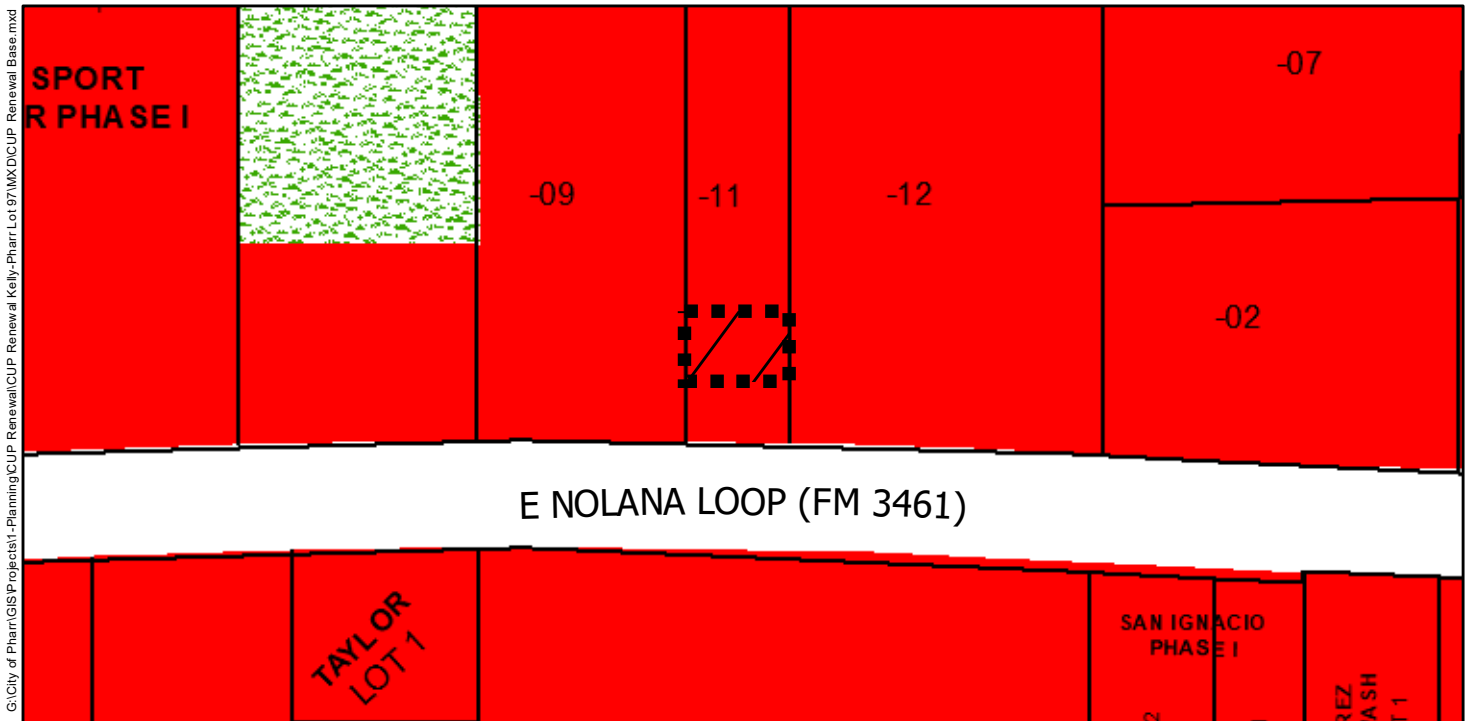
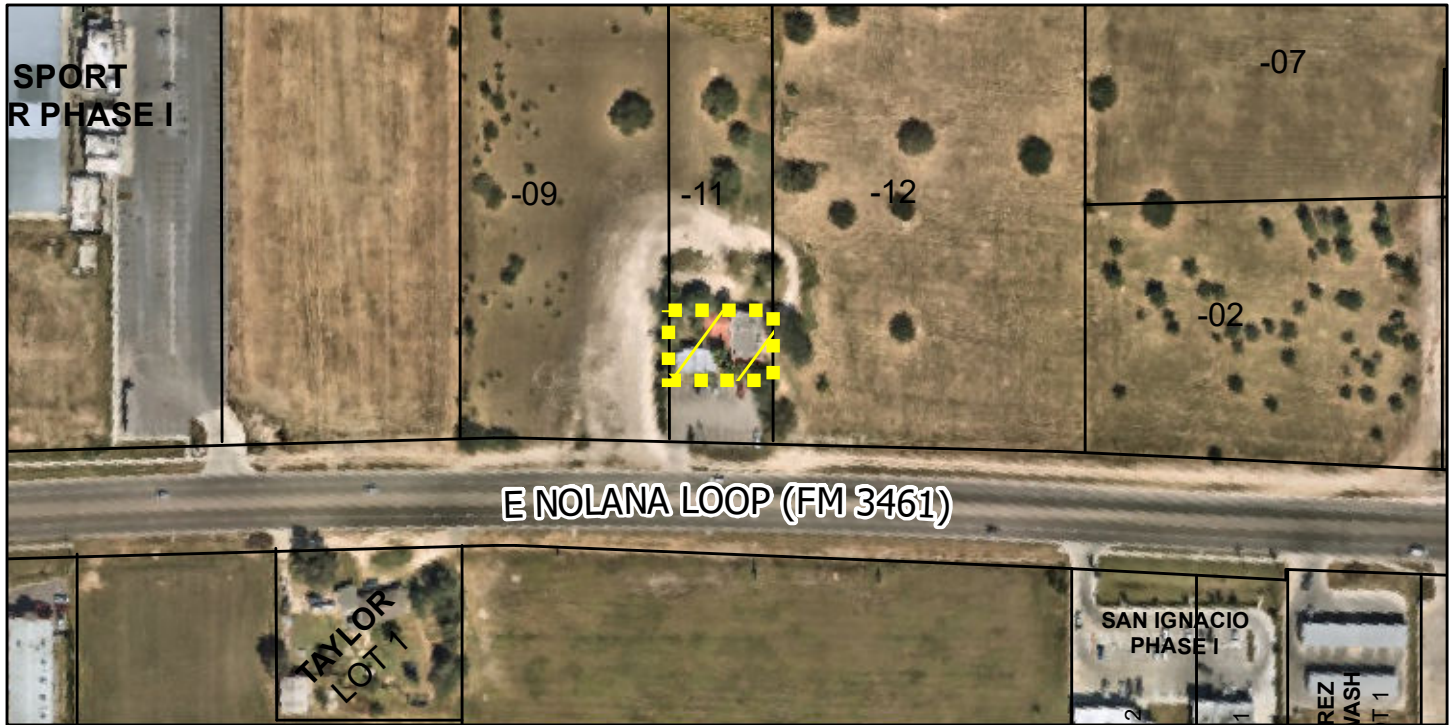
FIRE DEPARTMENT: Recommends approval of the Conditional Use Permit.

CODE COMPLIANCE: Recommends approval of the Conditional Use Permit.

HEALTH: Recommends approval of the Conditional Use Permit.

DEVELOPMENT SERVICES: Recommends approval of the Conditional Use Permit.

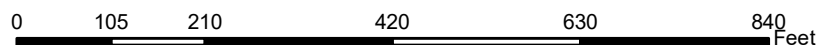
DEVELOPMENT SERVICES RECOMMENDATIONS: Development Services is recommending approval of the request for renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to site and applicant being in compliance with all City Ordinances and City Department requirements.



G:\City of Pharr\GIS\Projects\1-Planning\CUP Renewal\CUP Renewal Kelly-Pharr Lot 97\MX\DCUP Renewal Base.mxd

- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |

Scale: 1 inch = 215 feet





AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.A.5.

DATE SUBMITTED: April 11, 2023

MEETING DATE: April 17, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: LEM Group LLC, d/b/a The Bridge Bar, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C). The property is legally described as being a 0.099-acre tract of land, more or less, out of Lots 1 & 2, Luvil LLC Estates Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 508 West IH-2 Suites 12 & 13. CUP#210741 **This item supports EV - Economic Vitality.**

Classification: Regular

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

Issue: LEM Group LLC, d/b/a The Bridge Bar, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C).

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommends approval of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza
City Management Office

Created/Initiated - 4/11/2023
Approved - 4/12/2023
Approved - 4/12/2023
Final Approval - 4/14/2023



Pharr



MAYOR Ambrosio Hernandez, MD

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero, MD | Daniel Chavez | Ricardo Medina | Itza Flores

Executive Summary Letter

April 17, 2023

Conditional Use Permit **Renewal** for ABC –

The Bridge Bar

Background:

LEM Group, LLC, d/b/a The Bridge Bar & Grill, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 1st renewal for The Bridge Bar.

The property is located at 508 West IH-2, Suite 12&13. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the request for renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverage for on-premise consumption subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.



MEMORANDUM

DATE: MONDAY APRIL 17, 2023

TO: MAYOR AND CITY COMMISSION

FROM: KIMBERLY MENDOZA, DIRECTOR OF DEVELOPMENT SERVICES

THROUGH: ANALI ALANIS, INTERIM CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT AND LATE HOURS PERMIT FOR ABC FILE NO. CUP#210741 (The Bridge Bar.)

GENERAL INFORMATION:

APPLICANT: LEM Group LLC, d/b/a The Bridge Bar, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being 0.099-acre tract of land, more or less, out of Lots 1 & 2, Luvil LLC Estates Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located at 508 West IH-2 Suites 12 & 13.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the east, south, north, and west. This area is generally designated for commercial in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit.

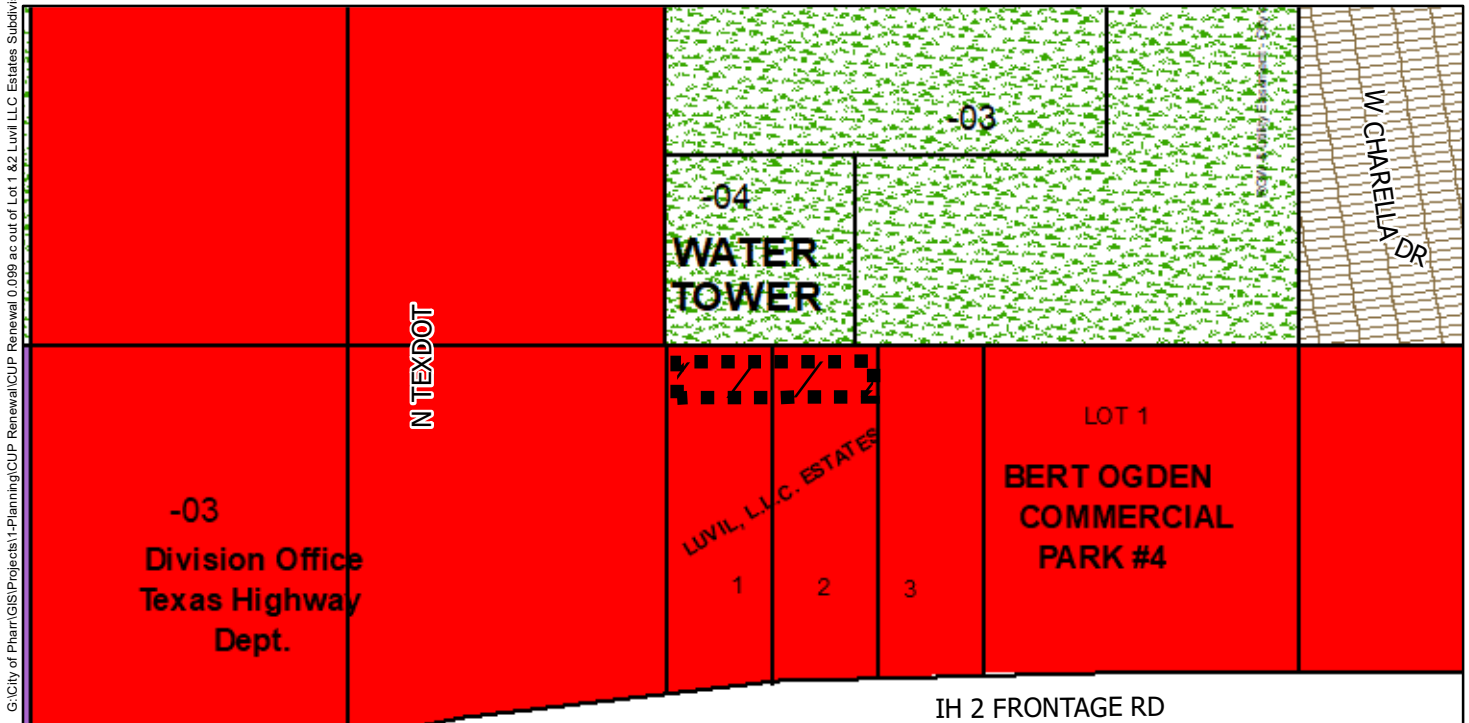
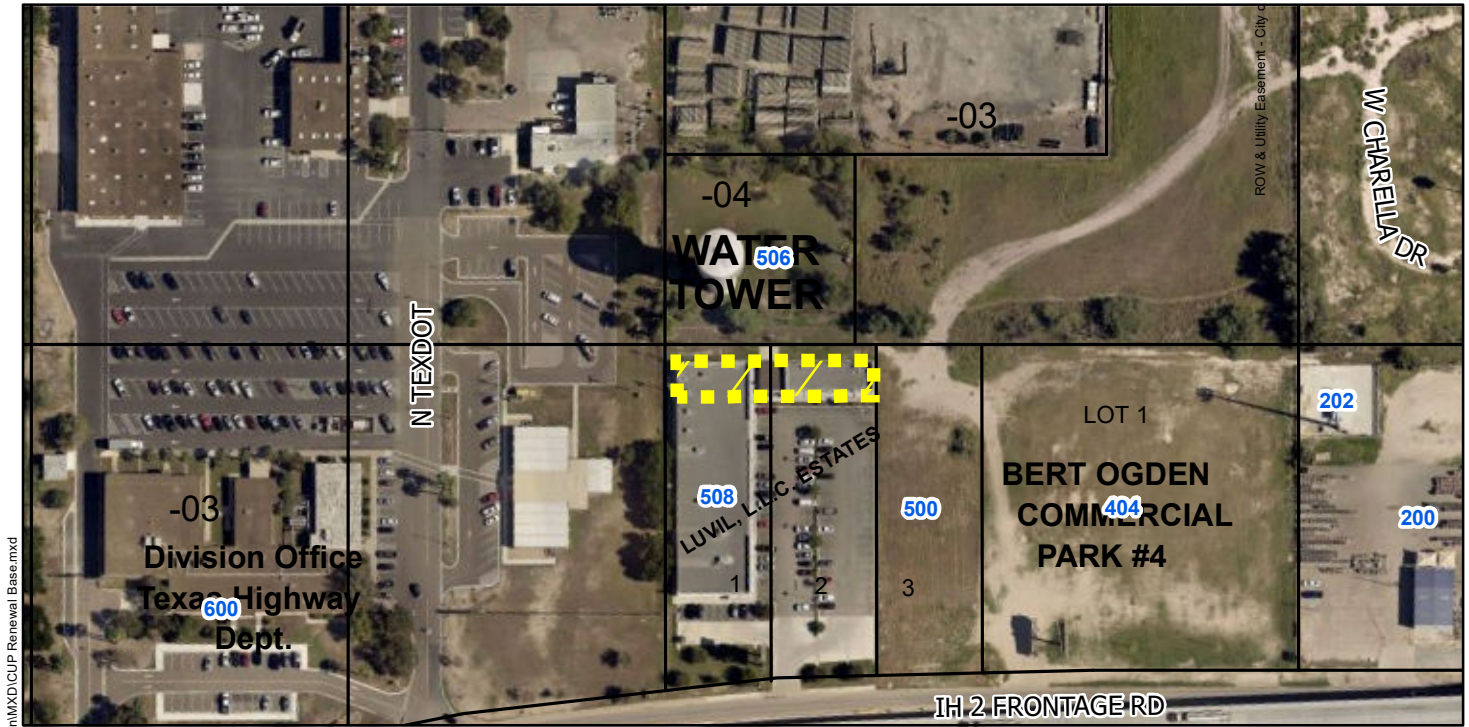
CODE COMPLIANCE: Recommends approval of the Conditional Use Permit.

HEALTH: Recommends approval of the Conditional Use Permit.

DEVELOPMENT SERVICES: Recommends approval of the Conditional Use Permit.

DEVELOPMENT SERVICES RECOMMENDATIONS: Development Services is recommending approval of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

Conditional Use Permit Renewal
0.099 ac out of Lots 1 & 2, Luvil LLC Estates Subdivision
Claudia Duran



- | | | | |
|---------------------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | Townhouse | Drainage Easement | PSJA ISD |
| Single Family | HUD Code | Heavy Commercial | Hidalgo ISD |
| Single Family Small Lot | Rail Road R.O.W | Heavy Industrial | Valley View ISD |
| Residential Multi-Family | Government Owned | Limited Industrial | Planned Unit Development |
| Residential Multi-Family High Density | General Business | Neighborhood Commercial | |
| Mobile Home | Business District | Office Professional | |

Scale: 1 inch = 200 feet

City of Pharr, Texas
Engineering Department
956.702.5355



Date: 4/11/2023



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.A.

DATE SUBMITTED: April 4, 2023

MEETING DATE: April 17, 2023

FROM: Elva Guajardo, Administrative Assistant

DEPARTMENT: Parks

DIRECTOR: Sergio Alanis

Agenda Item: Consideration and action, if any, on Ordinance amending Ordinance No. O-2023-09 Rental of Facilities (1st Reading). **This item supports QL - Quality of Life.**

Classification: Regular

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

Issue: The ordinance is being amended to update rental facilities.

Fiscal Consideration: N/A

Staff Recommendation: Staff recommends approval.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Elva Guajardo

Sergio Alanis

City Management Office

Created/Initiated - 4/4/2023

Approved - 4/14/2023

Final Approval - 4/14/2023

ORDINANCE NO. O-2023-09

**AN ORDINANCE AMENDING ORDINANCE NO. O-2019-42; ESTABLISHING
PROCEDURES AND RATES FOR RENTAL OF CITY FACILITIES; AND
ESTABLISHING AN EFFECTIVE DATE**

**BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY
OF PHARR, TEXAS, THAT:**

**SECTION 3: SECTION 30-41 OF THE CITY CODE IS AMENDED TO READ AS
FOLLOWS:**

“Sec. 30-41. Rental fee schedule”

The following rental fees shall be charged for the use of city-owned public facilities, by rental fee classes as defined in this article.

- a. Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. Rental and damage deposit.** \$200.00 to be paid at the time reservation is made. This deposit will be deducted from the total amount due.
- c. Security personnel.** All activities involving dancing, and the selling, serving and/or consumption of alcoholic beverages will require a minimum of two certified City of Pharr Police Officers to be contracted by the renter. The City of Pharr Police Department will designate the number of certified police officers required for functions. If more than 3 officers are required, they may be either certified police officers and/or security personnel from a licensed and bonded security company.
- d. Advanced reservations.** Class I reservations will be accepted for up to one year to the month in advance of the reserved date. Class II and III reservations will not be accepted more than one year to the month in advance of reserved date.

(1) TIERRA DEL SOL GOLF COURSE:

Rental Period	Time	Deposit	Rental Rate
Sunday-Friday	1:00 p.m.-12 MID	\$200.00	\$500.00
Saturday	1:00 p.m.-1:00 a.m.	\$200.00	\$500.00

- a. Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to

reserved date will be cancelled and any amount previously paid will not be returned.

- b. Rental and damage deposit.** \$200.00 to be paid at the time reservation is made. This deposit will be deducted from the total amount due.
- c. Security personnel.** All activities involving dancing, and the selling, serving and/or consumption of alcoholic beverages will require a minimum of two certified City of Pharr Police Officers to be contracted by the renter. The City of Pharr Police Department will designate the number of certified police officers required for functions.
- d. Advanced reservations.** Reservations will not be accepted more than one year to the month in advance of reserved date.
- e. Class II reservations** will be at no cost; lessee will not be allowed to bring outside food. All food and drinks will have to be coordinated with Golf Course Manager one month prior to event.

(2) VICTOR GARCIA MUNICIPAL PARK:

Rental Period	Time	Deposit (not refunded)	Rental Rate
MUNICIPAL PARK 205 W. Polk Monday-Sunday	1 p.m.-10 p.m.	\$25.00	\$100.00

- a. Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. Restricted usage.** No Class I or Class II activities will be allowed. No activity which involves dancing and/or the live playing of electronically amplified music will be permitted. The playing of prerecorded is allowed provided the volume is not such as to disturb nearby residents.

(3) PHARR SPORTS COMPLEX:

Rental Period	Time	Deposit (not refunded)	Rental Rate
Monday-Friday	6 p.m.-10 p.m.	\$50.00	\$375.00
Saturday	8 a.m.-10 p.m.	\$50.00	\$375.00
Sunday	8 a.m.-10 p.m.	\$50.00	\$375.00

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. **Restricted usage.** Parks will be used for practice and tournaments only. **No alcoholic beverages will be allowed on premises.**

(4) WITTEN PARK:

Rental Period	Time	Deposit (not refunded)	Rental Rate
Saturday	8 a.m. to 10 p.m.	\$50.00	\$250.00
Sunday	8 a.m. to 10 p.m.	\$50.00	\$250.00

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- b. **Restricted usage.** Parks will be used for practice and tournaments only. **No alcoholic beverages will be allowed on premises.**

(5) JONES BOX PARK (Baseball Fields)

Rental Period	Time	Deposit (not refunded)	Rental Rate
Saturday	8 a.m. to 10 p.m.	\$50.00	\$250.00
Sunday	8 a.m. to 10 p.m.	\$50.00	\$250.00

a. Payment of rental. The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.

b. Advanced reservations. Reservations will not be accepted more than 90 days in advance of reserved date.

a. Restricted usage. Baseball fields will be used for practice and open play only. No organized leagues, tournaments/private events or alcoholic beverages will be allowed on the premises. Maximum usage time shall not exceed two (2) hours.

(6) DEVELOPMENT AND RESEARCH CENTER (DRC)**DRC EXHIBIT HALL**

Rental Period	Time	Deposit (not refunded)	Rental Rate
Friday	6 p.m.-12 MID.	\$100.	\$80.00 Per Hour
Saturday & Sunday	1 p.m.-1 a.m.	\$100.	\$80.00 Per Hour

DRC MEETING ROOM

Rental Period	Time	Deposit (not refunded)	Rental Rate
Friday	6 p.m.-12 MID.	\$100.	\$50.00 Per Hour
Saturday & Sunday	1 p.m.-1 a.m.	\$100.	\$50.00 Per Hour

a. Payment of rental. The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned. The

minimum rental shall be no less than three hours.

- b. Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. Restricted usage.** During hours of operation at the Research Center section of the building. No activity which entails dancing and/or the live playing of electronically amplified music will be permitted. **No alcoholic beverages will be allowed on premises.**
- d. Security personnel.** All activities involving dancing, the selling, serving and/or consumption of alcoholic beverages will require a minimum of two City of Pharr Police Officers to be contracted by the lessee. Lessor will designate the number of City of Pharr Police Officers required for functions.

(7) JOSE “PEPE” SALINAS RECREATION CENTER (LARGE HALL):

Rental Period	Rental Period	Time	Deposit	Rental Rate Class I	Rental Rate Class II
Sunday-Thursday	Morning	8:00 a.m. – 1:00 p.m.	\$300.00	\$500.00	\$400.00
	Day	8:00 a.m. – 7:00 p.m.	\$300.00	\$1,100.00	\$1,000.00
	Evening	1:00 p.m. – 12 MID.	\$300.00	\$1,100.00	\$1,000.00
Friday	Morning	8:00 a.m. – 1:00 p.m.	\$300.00	\$600.00	\$500.00
	Day	8:00 a.m. – 7:00 p.m.	\$300.00	\$1,300.00	\$1,100.00
	Evening	1:00 p.m. – 12 MID.	\$300.00	\$1,300.00	\$1,100.00
Saturday	Morning	8:00 a.m. – 1:00 p.m.	\$300.00	\$1,000.00	\$600.00
	Day	8:00 a.m. – 7:00 p.m.	\$300.00	\$2,000.00	\$1,200.00
	Evening	1:00 p.m. – 1:00 a.m.	\$300.00	\$2,000.00	\$1,500.00

- a. Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. Rental and damage deposit.** \$300.00 to be paid at the time reservation is made. This deposit will be deducted from the total amount due.
- c. Security personnel.** All activities involving dancing, the selling, serving and/or consumption of alcoholic beverages will require a minimum of two City of Pharr Police Officers to be contracted by the lessee. Lessor will designate the number of City of Pharr Police Officers required for functions.

(8) JOSE “PEPE” SALINAS RECREATION CENTER (SMALL HALL):

Rental Period	Time	Deposit (not refunded)	Class I	Class II
Sunday-Friday	6 p.m.-12 MID.	\$100.00	\$80.00 Per Hour	\$50.00 Per Hour
Saturday	8 a.m.-1:00 a.m.	\$100.00	\$100.00 per Hour	\$60.00 Per Hour

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- b. **Restricted usage.** No activity which entails dancing and/or the live playing of electronically amplified music will be permitted. Prerecorded music will be allowed provided there are no activities being conducted at the Large Hall and provided the volume is not sure as to disturb nearby residents. **No alcoholic beverages will be allowed on premises.**

(9) JOSE “PEPE” SALINAS RECREATION CENTER (CONFERENCE ROOM A)

Rental Period	Time	Deposit (not refunded)	Class I	Class II
Monday-Sunday	1 p.m.-12 MID.	\$50.00	\$60.00 Per Hour	\$40.00 Per Hour

Available for rental to small groups (Capacity - 63). A non-refundable deposit of \$50.00 is required to reserve the Conference Room. Reservations will not be accepted more than 90 days before reserved date. Rules regarding Small Hall usage are also applicable to the Conference Room.

(10) JOSE “PEPE” SALINAS RECREATION CENTER (CONFERENCE RM B)

Rental Period	Time	Deposit (not refunded)	Class I	Class II
---------------	------	------------------------	---------	----------

Monday-Sunday	1 p.m.-12 MID.	\$50.00	\$40.00 Per Hour	\$30.00 Per Hour
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Available for rental to small groups (Capacity – 48). A non-refundable deposit of \$50.00 is required to reserve the Conference Room. Reservations will not be accepted more than 90 days before reserved date. Rules regarding Small Hall usage are also applicable to the Conference Room.

(11) PHARR ONE BUILDING

AREAS	Rental Period/Time	STANDARD	NONPROFIT
Lecture Hall	Mon-Sat 8AM – 5PM	\$1,000	\$700
Conference Room	Mon-Sat 8AM – 5PM	\$800	\$500

Lecture Hall is available for rental to accommodate a capacity of 134. Conference Room is available for rental to accommodate a small group of (18). Reservations will not be accepted more than 90 days prior to event date. Rules and guidelines are applicable upon signed agreement. A non-refundable fee of \$250 is required for both areas and must be paid at time of reservation.

- a. **Payment of Rental.** All reservations require a \$250 deposit fee and is nonrefundable if the event is cancelled. The full amount of the rental fee must be paid at least 30 days prior to the date the event.
- b. **Restricted Usage.** Pharr ONE does not accommodate with any food/drinks for any event. No outside catering allowed at the facility. Catering services will be referred to the Park Deli and is not included in any rental fees. **No alcoholic beverages are allowed on the premises.**

SECTION 4: EFFECTIVE DATE; PUBLICATION

The ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

SECTION 5: 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 17th day of April, 2023.

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 th day of February, 2023.

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 6th day of March, 2023.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.B.

DATE SUBMITTED: April 14, 2023

MEETING DATE: April 17, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Anali Alanis

Agenda Item: Consideration and action, if any, on Ordinance amending Ordinance Nos. O-2023-11 and O-2023-14 appointing Presiding and Alternate Judges for the General Municipal Election on Saturday, May 6, 2023 (*Adoption on One Reading*).
This item supports SG - Sound Governance and Fiscal Sustainability.

Classification: Regular

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

Issue: On March 20, 2023, the Board of Commissioners appointed Olivia Valdez as Presiding Judge for Precincts 25, 36, 258, and 208 (Pharr City Hall) and Alternate Judge for Development and Research Center Early Voting. Unfortunately, Ms. Valdez recently passed away and we are needing a replacement. The appointment of Presiding and Alternate Judge for Precincts 25, 36, 258, and 208 (Pharr City Hall) and Alternate Judge for Development and Research Center Early Voting is needed at this time.

Moreover, Betty Ann Nunez was appointed Presiding Judge for election precincts 60, 115, and 168 (Pharr ONE Building) but is unable to serve; therefore appointment of Presiding Judge is needed at this time.

Fiscal Consideration: Not applicable

Staff Recommendation: Staff recommends the appointment of Graciela Garcia as Alternate Judge for Early Voting Branch Location, the appointment of Daniela Avila as Presiding Judge and Fidel Gonzalez as Alternate Judge for Precincts 25, 36, 258, and 208 (Pharr City Hall), and the appointment of Elisabet A. Nunez as Presiding Judge for Precincts 60, 115, and 168 (Pharr ONE Building).

Alternatives: Not applicable

Exclude Material from Public Packet? No

Reason: Not applicable

ROUTING:

Hilda Pedraza
Patricia Rigney
City Management Office

Created/Initiated - 4/14/2023
Approved - 4/14/2023
Final Approval - 4/14/2023

ORDINANCE NO. O-2023-_____

**ORDINANCE AMENDING ORDINANCE NOS. O-2023-11 AND O-2023-14
APPOINTING JUDGES AND ALTERNATE
JUDGES FOR THE GENERAL MUNICIPAL ELECTION
TO BE HELD ON SATURDAY, MAY 6, 2023**

WHEREAS, the Board of City Commissioners of the City of Pharr, Texas (the “City”) has ordered a general municipal election be held on Saturday, May 6, 2023 within and throughout the corporate limits of the City at which all residents, qualified electors of the district shall be entitled to vote for a Mayor, Commissioner Place 1, Commissioner Place 5, and Commissioner Place 6; and

WHEREAS, on March 20, 2023, the Board of Commissioners appointed Judges and Alternate Judges for the upcoming Municipal General Election to be held on Saturday, May 6, 2023; and

WHEREAS, on April 3, 2023, the Board of Commissioners amended Ordinance O-2023-11 appointing Presiding Judge and Alternate Judge for Election Precincts 05, 122, 137, 146, and 227 (Development & Research Center); and

WHEREAS, Olivia Valdez was appointed Alternate Judge for Branch Early Voting Location (Development & Research Center) and Presiding Judge for election precincts 25, 36, 258, and 208 (Pharr City Hall), but recently passed away; therefore, appointment of Presiding Judge and Alternate Judge is needed at this time; and

WHEREAS, Betty Ann Nunez was appointed Presiding Judge for election precincts 60, 115, and 168 (Pharr ONE Building) but is unable to serve; therefore appointment of Presiding Judge is needed at this time.

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

SECTION 1: Election Day Presiding and Alternate Judges: The presiding and alternate judges for each voting precinct established for the Election in the order calling the election, shall be appointed for one single election and runoff election if necessary, and shall be the following:

Election Precincts 60, 115, and 168	-	Pharr ONE Building
		1121 E. Nolana Loop
Presiding Judge	-	_____

Election Precincts 25, 36, 258, and 208 - Pharr City Hall
118 S. Cage Blvd.

Presiding Judge - _____

Alternate Judge - _____

SECTION 2: Early Voting Presiding and Alternate Judges: The presiding and alternate judges for each Early Voting Location established for the Election in the order calling the election, shall be appointed for one single election and runoff election if necessary, and shall be the following:

Branch Early Voting Location - Development & Research Center
850 W. Dicker

Alternate Judge - _____

SECTION 3: Appointment of Election Clerks: The Presiding Judge of each Voting precinct shall appoint not more than three (3) qualified election clerks to serve and assist in conducting the Election; provided that if the Presiding Judge serves as expected, the Alternate Judge shall be one of such clerks.

SECTION 4: Compensation for Services at Polling Place: The presiding judge, alternate judge, and each election clerk shall be compensated for services rendered, as follows:

Presiding Judge	\$14.00 per hour
Alternate Judge	\$13.00 per hour
Election Clerk	\$12.00 per hour

The cost of payroll for training of judges and clerks is \$10.00 per hour per person.

A judge or clerk may not be paid for more than one hour of work before the polls open. In a precinct in which voting machines are used, a judge or clerk may not be paid for more than two hours of work after the time for closing the polls or after the last voter has voted, whichever is later.

SECTION 5: Compensation for Delivering Election Records and Supplies:

The election judge or clerk who delivers the precinct election records, keys to ballot boxes or other election equipment, and unused election supplies after an election is entitled to compensation for that service in an amount not to exceed \$25.00. If more than one election officer delivers the records, keys, and unused supplies, the presiding judge is entitled to compensation for that service in an amount not to exceed \$25.00. If more than one election officer delivers the records, keys, and unused supplies, the presiding judge shall determine how the amount fixed for the services is to be allocated among the officers.

SECTION 6: Declaring an Emergency Clause: The importance of the subject matter hereof creates an emergency and an imperative public necessity requiring the suspension of the rule that Ordinance be read on three separate days, and such rule is hereby suspended and said requirement is dispensed with by a vote of not less than a majority of all the members of the Board of Commissioners. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS on this the 17th day of April, 2023.

CITY OF PHARR

AMBROSIO HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.C.

DATE SUBMITTED: April 13, 2023

MEETING DATE: April 17, 2023

FROM: Maria Rangel, Engineer in Training

DEPARTMENT: Engineering

DIRECTOR: Ruben Alfaro

Agenda Item: Consideration and action, if any, on Resolution executing Amendment Number 1 to the Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for I Road, from Rancho Blanco to Dicker Road, Control Section Job (CSJ) Number 0921-02-363. **This item supports IF - Infrastructure.**

Classification: Regular

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

Issue: The proposed AFA - Amendment #1 with TxDOT for the I Road Project is for changing the limits of the project. Originally, the limits of the project covered the length from Javelina Drive (Rancho Blanco Road) to Military Highway (US 281). This amendment will change the limits from Javelina Drive (Rancho Blanco Road) to Dicker Road (FM 3072). A new project has been created to cover the limits from Dicker Road (FM 3072) to Military Highway, and it will be addressed by a separate agenda item.

The AFA - Amendment #1 will require the City to pay a total estimated amount of \$162,356 to TxDOT for review and oversight services. Out of the total estimated amount due, the City has already paid \$34,394 and only needs to cover the remaining balance of \$127,962. As before, the City is responsible for 100% of cost overruns.

Fiscal Consideration:

Initial Payment Due at AFA Approval: \$34,394 (*payment was made on April 09, 2021*)

Payment Due Before Construction: \$127,962

Total: \$162,356

**Amount due is \$127,962*

Staff Recommendation: Staff recommends approval of the Resolution executing Amendment #1 to the AFA with TxDOT for I Road, from Rancho Blanco Road to Dicker Road, CSJ #0921-02-363.

Alternatives: No alternatives.

Exclude Material from Public Packet? No

Reason: No exclusion.

ROUTING:

Maria Rangel
Ruben Alfaro

Created/Initiated - 4/13/2023
Approved - 4/14/2023

Cynthia Garza
Karla Saavedra
Patricia Rigney
City Management Office

Approved - 4/14/2023
Approved - 4/14/2023
Approved - 4/14/2023
Final Approval - 4/14/2023

RESOLUTION NO. R-2023-__

**ADVANCE FUNDING AGREEMENT
AMENDMENT NUMBER 1
METROPOLITAN MOBILITY FUNDS OFF-SYSTEM
I ROAD, RANCHO BLANCO ROAD TO DICKER ROAD (FM 3072)
CSJ: 0921-02-363**

WHEREAS, on March 15, 2021, the Board of Commissioners of the City of Pharr (City), Texas, approved Resolution No. R-2021-17 allowing the City to enter into an Advance Funding Agreement (AFA) with the Texas Department of Transportation (State) for the reconstruction of I Road from Rancho Blanco Road (Javelina Drive) to Military Highway (US 281), CSJ: 0921-02-363 (Project); and

WHEREAS, due to funding constraints, the Project was divided into three segments, and each assigned its own CSJ number; and

WHEREAS, due to inflation in construction costs, additional funding was requested and granted for the Project; and

WHEREAS, the new limits for CSJ: 0921-02-363 is I Road from Rancho Blanco Road to Dicker Road (FM 3072); and

WHEREAS, The City's revised total estimated cost to the State will be **\$162,356** (*This is an estimate. The final amount of Local Government participation will be based on actual costs. The City of Pharr is also responsible for 100% of cost overruns.*) and initial payment in the amount of **\$34,394** to the Texas Department of Transportation Trust Fund has been completed.

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

The City of Pharr authorizes the Mayor to execute any and all documents necessary to effectuate said Advance Funding Agreement – Amendment #1 with the State.

This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 17th day of April 2023, by the Board of Commissioners of the City of Pharr, Texas.

CITY OF PHARR

Ambrosio Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk

TxDOT:				Federal Highway Administration:	
CSJ #	0921-02-363			CFDA No.	20.205
District #	21-Pharr	AFA ID	Z00001731	CFDA Title	Highway Planning and Construction
Code Chart 64 #	32600				
Project Name	"I" RD.			AFA Not Used For Research & Development	

STATE OF TEXAS §

COUNTY OF TRAVIS §

ADVANCE FUNDING AGREEMENT AMENDMENT # 1

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and City of Pharr, acting by and through its duly authorized officials, called the Local Government.

W I T N E S S E T H

WHEREAS, the State and the Local Government executed a contract on March 22, 2021 to effectuate their agreement to reconstruct a 2-lane roadway with shoulders on "I" Road, from Rancho Blanco Road to Military Highway (US 281); and,

WHEREAS, it has become necessary to amend that contract; to separate the original "I" Road project into two segments and to reflect the current budget of the Project; and,

WHEREAS, the Texas Transportation Commission passed Minute Order Number 116073 and 116292 authorizing the State to undertake and complete a highway improvement, generally described as rehabilitation of existing "I" Road in Hidalgo County.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, the State and the Local Government do agree as follows:

A G R E E M E N T

1. Description of Amended Items

A. Article 3 is deleted in its entirety and replaced with:

3. Scope of Work

The scope of work for the Project consists of the construction of the rehabilitation/reconstruction of existing "I" Road, from 0.4 Miles South of Rancho Blanco Road to Dicker Road to be a 50-foot-wide roadway (with two 11-foot-wide travel lanes, one 12-foot-wide continuous left turn lane, and two 8-foot-wide shoulders). Construction would also include a 10-foot-wide shared use path adjacent to the roadway, as well as roadside ditches for drainage, mostly within an existing 100-foot-wide ROW for a length of 2.5 miles. As shown on Attachment B-1.

B. Attachment A, Resolution, is deleted in its entirety and is replaced with Attachment A-1, which is attached to and made a part of this Amendment.

C. Attachment B, Project Location Map, is deleted in its entirety and is replaced with Attachment B-1, which is attached to and made a part of this Amendment.

TxDOT:				Federal Highway Administration:	
CSJ #	0921-02-363			CFDA No.	20.205
District #	21-Pharr	AFA ID	Z00001731	CFDA Title	Highway Planning and Construction
Code Chart 64 #	32600				
Project Name	"I" RD.			AFA Not Used For Research & Development	

- D. Attachment C, Project Budget, is deleted in its entirety and is replaced with Attachment C-1, which is attached to and made a part of this Amendment. Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) funds are added for construction in the amount of \$2,413,582.00. Category 7 funds for construction decreased by \$3,287,242, from \$11,698,586.00 to \$8,411,344.00. Economically Disadvantage County (EDC) program rates have been updated to reflect rate for FY 2023.

All other provisions of the original contract are unchanged and remain in full force and effect.

2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this amendment on the date stated under that party's signature.

THE LOCAL GOVERNMENT

Signature

Ambrosio Hernandez

Typed or Printed Name

City of Pharr Mayor

Title

Date

THE STATE OF TEXAS

Kenneth Stewart

Director of Contract Services

Texas Department of Transportation

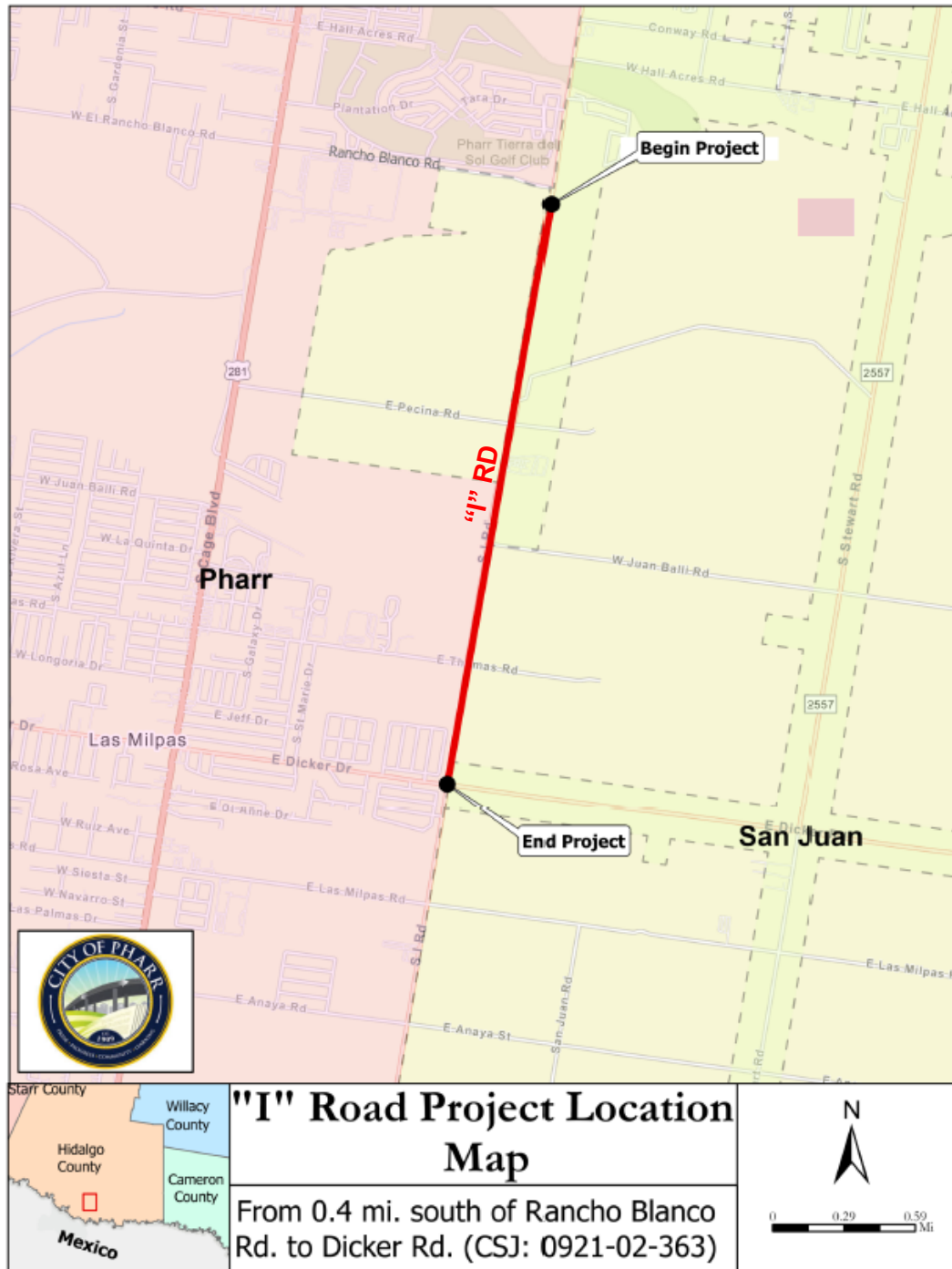
Date

TxDOT:				Federal Highway Administration:	
CSJ #	0921-02-363			CFDA No.	20.205
District #	21-Pharr	AFA ID	Z00001731	CFDA Title	Highway Planning and Construction
Code Chart 64 #	32600				
Project Name	"I" RD.			<i>AFA Not Used For Research & Development</i>	

ATTACHMENT A-1
RESOLUTION, ORDINANCE, OR COMMISSIONERS COURT ORDER

TxDOT:				Federal Highway Administration:	
CSJ #	0921-02-363			CFDA No.	20.205
District #	21-Pharr	AFA ID	Z00001731	CFDA Title	Highway Planning and Construction
Code Chart 64 #	32600				
Project Name	"I" RD.			AFA Not Used For Research & Development	

ATTACHMENT B-1 LOCATION MAP SHOWING PROJECT



TxDOT:				Federal Highway Administration:	
CSJ #	0921-02-363			CFDA No.	20.205
District #	21-Pharr	AFA ID	Z00001731	CFDA Title	Highway Planning and Construction
Code Chart 64 #	32600				
Project Name	"I" RD.			AFA Not Used For Research & Development	

ATTACHMENT C-1 PROJECT BUDGET

Construction Category 7 costs shall be allocated based on 80% Federal funding, 19% State funding, and 1% Local Government funding, until the Federal funding reaches the maximum obligated amount. Construction Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) costs shall be allocated based on 100% Federal funding. The Local Government will be responsible for 100% of all project cost overruns.

Description	Total Estimated Cost	Federal Participation		State Participation			Local Participation		
		%	Cost	% Before EDC Adj.	% After EDC Adj.	Cost After EDC Adj.	% Before EDC Adj.	% After EDC Adj.	Cost After EDC Adj.
Construction (CRRSAA, by LG)	\$2,413,582	100%	2,413,582	0%	0%	\$0	0%	0%	\$0
Construction (Cat. 7, by LG)	\$7,686,418	80%	\$6,149,134	0%	19%	\$1,460,420	20%	1%	\$76,864
Construction Engineering (Cat. 7, by LG)	\$724,926	80%	\$579,941	0%	19%	\$137,736	20%	1%	\$7,249
Subtotal	\$10,824,926		\$9,142,657			\$1,598,156			\$84,113
Engineer. Direct State Costs	\$20,636	0%	\$0	0%	0%	\$0	100%	100%	\$20,636
Environmental Direct State Costs	\$10,318	0%	\$0	0%	0%	\$0	100%	100%	\$10,318
ROW Direct State Costs	\$1,720	0%	\$0	0%	0%	\$0	100%	100%	\$1,720
Utilities Direct State Costs	\$1,720	0%	\$0	0%	0%	\$0	100%	100%	\$1,720
Construction Direct State Costs	\$127,962	0%	\$0	0%	0%	\$0	100%	100%	\$127,962
Indirect State Costs	\$489,287	0%	\$0	100%	100%	\$489,287	0%	0%	\$0
Subtotal	\$651,643		\$0			\$489,287			\$162,356
TOTAL	\$11,476,569		\$9,142,657			\$2,087,443			\$246,469

Initial payment by the Local Government to the State received on 4/09/2021:	\$34,394
Payment by the Local Government to the State 60 days prior to the date set for receipt of the construction bids:	\$127,962
Estimated total payment by the Local Government to the State:	\$162,356

This is an estimate. The final amount of Local Government participation will be based on actual costs.



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.D.

DATE SUBMITTED: April 10, 2023

MEETING DATE: April 17, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Anali Alanis

Agenda Item: Consideration and action, if any, on Resolution regarding AEP Texas Distribution Cost Recover Factors (DCRF) application and authorizing legal counsel to intervene and participate in the proceeding. **This item supports SG - Sound Governance and Fiscal Sustainability.**

Classification: Regular

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

Issue: On April 5, 2023, AEP Texas Inc. ("AEP") filed an Application to Amend its Distribution Cost Recovery Factor ("DCRF"). In the filing, AEP is seeking an increase in distribution revenues of approximately \$39.7 million. This equals an approximately \$1.63 increase to the average residential customer's bill from the rates approved in AEP's most recent DCRF case. Moreover, in this filing, AEP is seeking to impose Rider Mobile TEEE Facilities ("Rider") to recover revenue related to mobile generation unit leasing and operation. The Rider would recover approximately \$30.67 million (an approximately \$1.30 increase to the average customer's bill).

The resolution authorizes the City to join with the Cities Served by AEP ("Cities") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The resolution further authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes cities to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC. The Public Utility Commission's rules allow cities 60 days to act on this application. That deadline is June 2, 2023.

The purpose of the Resolution is to deny the DCRF application proposed by AEP.

Fiscal Consideration: N/A

Staff Recommendation: Staff recommends approval.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Hilda Pedraza

Patricia Rigney

Karla Saavedra

City Management Office

Created/Initiated - 4/10/2023

Approved - 4/10/2023

Approved - 4/13/2023

Final Approval - 4/14/2023

RESOLUTION NO. R-2023-_____

A RESOLUTION OF THE CITY OF PHARR, TEXAS FINDING THAT AEP TEXAS INC.'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY AEP TEXAS; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Pharr, Texas ("City") is an electric utility customer of AEP Texas Inc. ("AEP" or "Company"), and a regulatory authority with an interest in the rates and charges of AEP; and

WHEREAS, the City is a member of the Cities Served by AEP ("Cities"), a membership of similarly situated cities served by AEP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in AEP's service area; and

WHEREAS, on or about April 5, 2023 AEP filed with the City an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 54824, seeking to increase electric distribution rates by approximately \$39.7 million (an approximately \$1.63 increase to the average residential customer's bill from the rates approved in the Company's most recent DCRF case) and impose a Rider Mobile TEEE Facilities to recover \$30.67 million (an approximately \$1.30 increase to the average residential customer's bill) related to mobile generation facilities; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, Cities are coordinating its review of AEP's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, Cities members and attorneys recommend that members deny the DCRF.

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

Section 1. That the City is authorized to participate with Cities in PUC Docket No. 54824.

Section 2. That subject to the right to terminate employment at any time, the City hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the rates proposed by AEP to be recovered through its DCRF and Rider Mobile TEEE Facilities charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 4. That the Company shall continue to charge its existing rates to customers within the City.

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by AEP within 30 days of presentation of an invoice to AEP.

Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 7. That a copy of this Resolution shall be sent to Leila Melhem, American Electric Power Service Corporation, 400 West 15th Street, Suite 1520, Austin, Texas 78701 and to Thomas Brocato, General Counsel to the Cities, at Lloyd Gosselink Rochelle & Townsend, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 17th day of April, 2023.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.E.

DATE SUBMITTED: April 12, 2023

MEETING DATE: April 17, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Consideration and action, if any, on Resolution appointing one (1) alternate member to the Planning and Zoning Commission. **This item supports SG - Sound Governance and Fiscal Sustainability.**

Classification: Regular

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

Issue: Due to Mr. Joel Ordaz' resignation as an Alternate Planning and Zoning Commission Member on January 25, 2023, the appointment of one (1) alternate member is needed at this time to serve on the Planning and Zoning Commission.

Ms. Mercedes Guillen has expressed an interest in serving as an alternate member of the Planning and Zoning Commission.

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommends the appointment of Ms. Mercedes Guillen as an alternate member to the Planning and Zoning Commission.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza
City Management Office

Created/Initiated - 4/12/2023
Approved - 4/13/2023
Approved - 4/13/2023
Final Approval - 4/14/2023

STATE OF TEXAS

§
§
§

RESOLUTION NO. R-2023-____

CITY OF PHARR

WHEREAS, there is hereby a City Planning and Zoning Commission which shall function by making plans and acting as a Zoning Commission being composed of seven (7) members and four (4) alternates to be appointed by the Board of Commissioners, and

WHEREAS, a replacement for an alternate member is needed as a result of Mr. Joel Ordaz' resignation on January 25, 2023 as an alternate Planning and Zoning Commission member; and

WHEREAS, appointment of one (1) alternate member needs to be made at this time in accordance with City Ordinance No. O-2007-48 whereby a person, either citizen/resident or Pharr business owner, shall not serve as an officer or member on more than two (2) Pharr board or committee concurrently.

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

The following resident of the City of Pharr is hereby appointed as an alternate member of the Planning and Zoning Commission.

NAME:

LENGTH OF TERM

1. Mercedes Guillen

2-year term (expiring April 17, 2025)

PASSED, APPROVED AND MADE EFFECTIVE BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 17th day of April, 2023.

CITY OF PHARR

AMBROSIO HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.F.

DATE SUBMITTED: April 13, 2023

MEETING DATE: April 17, 2023

FROM: Ed Wylie, Deputy City Manager

DEPARTMENT: Administration

DIRECTOR: Ed Wylie

Agenda Item: Consideration and action, if any, on Resolution determining a public necessity to acquire certain real property; giving notice of an official determination to acquire real property for a public purpose; establishing procedures for the acquisition of property; determining the estate to be acquired; establishing fair market value for the property to be acquired, and directing the city manager or designee to communicate offers to owners for purchase of property, appropriating funds, and authorizing condemnation proceedings by city attorney; ratification of prior acts. **This item supports QL - Quality of Life.**

Classification: Closed Session

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

Issue: closed session

Fiscal Consideration: tbd

Staff Recommendation: Approval

Alternatives: disapproval

Exclude Material from Public Packet? No

Reason: land purchase

ROUTING:

Ed Wylie
Karla Saavedra
Patricia Rigney
City Management Office

Created/Initiated - 4/13/2023
Approved - 4/13/2023
Approved - 4/14/2023
Final Approval - 4/14/2023



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.G.

DATE SUBMITTED: April 13, 2023

MEETING DATE: April 17, 2023

FROM: Daniel Ramirez, Director

DEPARTMENT: Emergency Medical Services

DIRECTOR: Daniel Ramirez

Agenda Item: Consideration and action, if any, on Resolution declaring two (2) surplus vehicles from the Emergency Medical Services (EMS) Department. **This item supports SG - Sound Governance and Fiscal Sustainability.**

Classification: Regular

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

Issue: EMS Department is declaring 2 pick-up vehicles as surplus as stated on Ordinance CH139 Sec 9.

Fiscal Consideration: no fiscal consideration.

Staff Recommendation: Staff recommends approval of this resolution.

Alternatives: no alternatives.

Exclude Material from Public Packet? No

Reason: item is not excluded.

ROUTING:

Daniel Ramirez

Created/Initiated - 4/13/2023

Daniel Ramirez

Approved - 4/13/2023

Karla Saavedra

Approved - 4/14/2023

Mayra Gomez

Approved - 4/14/2023

Patricia Rigney

Approved - 4/14/2023

City Management Office

Final Approval - 4/14/2023

RESOLUTION NO. R-2023-

CITY OF PHARR DECLARATION OF SURPLUS ITEMS

WHEREAS, the City of Pharr, Texas, owns the vehicles, as described in **Exhibit “A”** attached hereto and incorporated herein, and the Board of Commissioners being of the opinion that such equipment should be declared surplus and donated for emergency response.

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

Section 1: The Board of Commissioners find that the surplus vehicles described in Exhibit “A” attached hereto and incorporated herein for all purposes be donated and used for emergency response.

Section 2: The City Manager is authorized and directed to donate the vehicles, as described in Exhibit “A”, to the Coastal Bend Regional Advisory Council (CBRAC) located at 1305 Shoreline Blvd, Unit 120, Corpus Christi ,TX 78401, which oversees the Region 11 Texas Emergency Medical Task Force (EMTF). These vehicles shall be used for the purpose of preparedness and response to emergencies through the EMTF program.

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

CITY OF PHARR:

Ambrosio Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk

C e r t i f i c a t i o n

The State of Texas

County of Hidalgo

City of Pharr

I, Hilda Pedraza, duly appointed City Clerk of the City of Pharr, Texas, do hereby certify that the foregoing Constitutes a true and correctly copy of the original Resolution duly passed and adopted by the board of Commissioners of the City of Pharr, Texas, on the _____ day of _____, 2023, ad.

(Resolution no. _____)

In witness whereof, I have hereunto subscribed my official Signature and impressed the seal of the City of Pharr, Texas, This the _____ day of _____, 2023, ad.

City of Pharr

Hilda Pedraza, City Clerk

CITY OF PHARR
DISPOSAL FORM



Pharr



DEPARTMENT: Emergency Medical Services
NAME/TITLE: Daniel Ramirez, EMS Chief

NO.	FUND	CATEGORY	ITEM DESCRIPTION	SERIAL NUMBER	CITY OF PHARR ID	YEAR	CONDITION	DISPOSE CODE
1	GF	V	Ford F-250	1xxxxxxxxxxxx7212	EMS007	2015	F	S
2	GF	V	Ford F-250	1xxxxxxxxxxxx4083	EMS009	2017	F	S
3								
4								
5								
6								
7								
8								
9								
10								
11								

Fund Service	Category
GF-Gen. Fund	E-Electronics
GR-Grant Fund	GM-General Merchandise
	Off-Office Equipment
	V-Vehicles

Condition Codes	Reason to Dispose Code
P-Poor	O-Obsolete
F-Fair	R-Replace by Upgrade
G-Good	B-Beyond Economic Repair
	S-Surplus to Requirements

TITLE

Apr 12 2023
DATE



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 8.A.

DATE SUBMITTED: April 6, 2023

MEETING DATE: April 17, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Anali Alanis

Agenda Item: Consideration and action, if any, on contract between City of Pharr and Garry Moore Amusements for carnival rides for the 2023 HubPhest. **This item supports QL - Quality of Life.**

Classification: Regular

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

Issue: GMA will furnish a combination of amusement rides to the City of Pharr for HubPhest on May 20, 2023.

Fiscal Consideration: \$50,000

Staff Recommendation: Staff recommends approval.

Alternatives: Not to approve

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Hilda Pedraza
Patricia Rigney
Karla Saavedra
City Management Office

Created/Initiated - 4/6/2023
Approved - 4/7/2023
Approved - 4/13/2023
Final Approval - 4/14/2023

AMUSEMENT CONTRACT
GARRY MOORE AMUSEMENTS
P.O. BOX 111, MERCEDES, TEXAS 78570
Email: crystal.moore.lasvegas@yahoo.com

This contract is made effective as of this ____ day of _____, 2023 by and between Garry Moore Amusements (hereinafter referred to as "G.M.A.") and City of Pharr, Texas (hereinafter referred to as "Client").

NOW, THEREFORE, in consideration of the mutual agreement herein contained:

G.M.A agrees to furnish to the client a combination of amusement rides to the City of Pharr on May 20th, 2023.

G.M.A. shall provide their own insurance coverage in the amount of no less than \$1,000,000.00 upon execution of this agreement and prior to deposit being paid. Coverage for insurance is only on carnival grounds and will not be responsible for any accidents occurring outer bounds, so long as they are not a result of any action or failure to act by G.M.A. G.M.A. shall provide insurance coverage for the days used for set up, the day of the event, and the day of take down.

G.M.A. will leave carnival grounds the same way it was before arrival. Carnival workers will pick-up all trash every closing night to ensure a clean/safe environment for everyone.

G.M.A. will provide their own RV hookups for multiple trailers along with water access for trailers and food trailers. Two RVs must remain next to carnival to ensure safety of carnival equipment.

G.M.A. has all rights to void contract if needs weren't met, family emergency, fire, accident, COVID/world health concerns, shutdowns/lockdowns, and any other pandemic happening, or gov/president have travel restrictions (state to state travel). Should G.M.A. void this contract for any reason, the full deposit will be refunded to Client immediately, unless an alternate date is set.

G.M.A. agrees to work with client to set an alternate date for carnival in event of cancellation or rescheduling for any reason. Guarantee/deposit have nothing to do with ticket sales or any other sales. It is strictly money to hire carnival.

Money to hire carnival: \$50,000.

G.M.A. agrees to provide carnival rides for the public from 5:00 p.m. to 11:00 p.m. on

day of event. Rides will operate for free. Games and food will be cash only. \$50,000 due upon arrival. G.M.A. may arrive two (2) days early to set-up and do state inspections and then leaving the day after the event. If the event is cancelled by Client, G.M.A. will retain the deposit and apply it to a future agreed upon date.

Ten Rides total will be provided by G.M.A. to include:

- (1) Starship, (2) Avalanche, (3) Zipper, (4) Ferris Wheel, (5) Boat, (6) Swings and (7) Reckless
- (8) Tubs, (9) Baja (10) Slide
- (1) Food Stand and Games
- (2) Bathrooms "must" be at carnival/site for workers

G.M.A strives to have safe, clean, and enjoyable family experience. We hope to more business in the future years and as always, God Bless.

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.

WITNESS THE HANDS OF THE PARTIES effective as of the day and year first written above.

GARRY MOORE AMUSEMENTS

THE CITY OF PHARR

BY: _____
Garry Moore/Owner

BY: _____
Anali Alanis, City Manager

ATTEST:

BY: _____
Hilda Pedraza, City Clerk

Approved as to Form:

BY: _____
City Attorney



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 9.A.

DATE SUBMITTED: April 14, 2023

MEETING DATE: April 17, 2023

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Legal

DIRECTOR: Patricia Rigney

Agenda Item: Consultation with Legal on Xoticas Rio Grande Valley, L.P., et al, vs. The City of Pharr, et al. Civil Action No. 5:21-CV-00120.

Classification: Closed Session

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

Issue: Legal consultation regarding Civil Action No. 5:21-CV-00120

Fiscal Consideration: N/A

Staff Recommendation: Consultation with legal

Alternatives: N/A

Exclude Material from Public Packet? Yes

Reason: Pursuant to Section 551.071

ROUTING:

Hilda Pedraza
Patricia Rigney
City Management Office

Created/Initiated - 4/14/2023
Approved - 4/14/2023
Final Approval - 4/14/2023