

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, APRIL 17, 2023
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, April 17, 2023 and following is the record of attendance.

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

BOARD OF COMMISSIONERS ABSENT: Mayor Pro Tem Daniel Chavez

STAFF PRESENT: Anali Alanis, Interim City Manager
Ed Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Ruben Alfaro, City Engineer
Karla Saavedra, Finance Director
Veronica Ramirez, HR Director
Juan Villescas, Municipal Judge
Juan Gonzalez, Interim Police Chief
Pilar Rodriguez, Fire Chief
Roland Gomez, Code Compliance Director
Kimberly Mendoza, Dev. Svcs. Director
Luis Marin, Public Works Director
Melanie Cano, O.S.E. Director
Ruben Rosales, Public Utilities Dir.
Sergio Alanis, Parks & Rec. Director
Cynthia Garza, CDBG/External Affairs Dir.
Adolfo Garcia, Library
Jose Pena, I.T. Director
Fred Brouwen, Director of Bridge Operations
Mayra Gomez, Purchasing Director
Daniel Ramirez, E.M.S. Chief
Marcela Beas, Chamber President
Yuri Gonzalez, Chief Comm. Officer
Kenneth Ennis, Public Safety Dir.

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1. CALL TO ORDER

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

Mayor Hernandez called the meeting to order at 4:15 p.m. Roll call established a quorum.

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

Pilar Rodriguez, Fire Chief, led the pledge of allegiance and said the invocation.

ITEM 2. PROCLAMATIONS:

A) PROCLAMATION PROCLAIMING THE WEEK OF APRIL 23-29, 2023 AS NATIONAL CRIME VICTIMS' RIGHTS WEEK (ADMINISTRATION)

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Comm. Guajardo read proclamation proclaiming April 23-29, 2023 as National Crime Victims' Rights week and presented proclamation to Pharr Police Department staff.

Juan Gonzalez, Interim Police Chief, thanked the Commission for their continued support and for the recognition.

B) PROCLAMATION PROCLAIMING THE WEEK OF APRIL 23-29 AS NATIONAL LIBRARY WEEK (LIBRARY)

Comm. Flores read proclamation proclaiming the week of April 23-29, 2023 as National Library week. Adolfo Garcia, Library Director, and staff received the proclamation and thanked the Commission for the recognition.

At this time, Mayor Hernandez called upon Xavier Salinas, Hidalgo ISD Superintendent. Mr. Salinas stated one school in south Pharr was named the best elementary Texas and announced the Mighty Pirates were state champions.

ITEM 3. PUBLIC TESTIMONY

No one signed up.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

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

ITEM 5. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR APRIL 2023. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY

Anali Alanis, Interim City Manager, introduced the item and reported the City of Pharr showed an increase of 3.40% year to date true growth compared to last year. She further stated Karla Saavedra, Finance Director, was in the audience and questions could be entertained at this time.

C) CITY EVENTS OF INTEREST

Anali Alanis, Interim City Manager, reported an Industrial Warehouse Summit would take place on Thursday, April 20, 2023 from 9:00 a.m. to 12 noon at the Pharr Development & Research Center, 850 W. Dicker Road, in Pharr.

Anali Alanis, Interim City Manager, also reported Development Services Department would be hosting a Block Party on Thursday, April 29, 2023 from 5:30 p.m. to 7:00 p.m. at Allen & William Arnold City/School Park.

Anali Alanis, Interim City Manager, further reported a ribbon cutting ceremony for Cookieco. Bakery Café would take place on Tuesday, April 25, 2023 at 11:30 a.m., at 1519 S. Jackson Road. She also reported Pharr Police Department would be hosting a substance misuse event on Wednesday, April 26, 2023 from 6:00 p.m. to 8:00 p.m. at Pharr One Building.

Anali Alanis, Interim City Manager, stated the registration deadline for the swimming, track and field, golf, and tennis TAAF programs would be June 2, 2023 and these would take place at PSJA North High School located at 500 E. Nolana Loop.

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At this time, Anali Alanis, Interim City Manager, called upon Danny Ramirez, E.M.S Chief. Mr. Ramirez recognized two EMS Paramedics who had received the Life Saving award for their quick response to a cardiac arrest patient. Jesus Balderas and Eric Sierra were recognized and received a cardiac save pin and were awarded with the Hometown Heroes Award from South Texas Health Systems.

Lastly, Anali Alanis, Interim City Manager, called upon Kenneth Ennis, Public Safety Communications. Mr. Ennis recognized Melanie Gutierrez for receiving the Training Professional of The Year award and Leslie Zuniga for receiving the Silent Hero award. He further stated he was appointed 2nd Vice President of Texas National Emergency Number Association (NENA).

ITEM 6. CONSENT AGENDA

A) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:

1. TAQUERIA TEPEQUE EXPRESS, REQUESTED 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. REQUESTED 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 CLOSER 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, REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 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, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 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)

5. LEM GROUP LLC, D/B/A THE BRIDGE BAR, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON PREMISE CONSUMPTION IN A 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)

Anali Alanis, Interim City Manager, introduced the item.

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

Ordinance Nos. O-2023-15 and O-2023-16 are filed with the City Clerk's Office.

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At this time, Mayor Hernandez stated they would deviate from the agenda and go into closed session. There was no objection.

ITEM 10. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 5:04 p.m., Mayor Hernandez stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

ITEM 11. RECONVENE

The time being 5:37 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION:

ITEM 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)

Anali Alanis, Interim City Manager, introduced the item.

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

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)

Anali Alanis, Interim City Manager, introduced the item.

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

Ordinance No. O-2023-17 is filed with the City Clerk's Office.

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)

Anali Alanis, Interim City Manager, introduced the item.

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

Resolution No. R-2023-19 is filed with the City Clerk's Office

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- 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)**

Anali Alanis, Interim City Manager, introduced the item.

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

Resolution No. R-2023-20 is filed with the City Clerk's Office

- 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)**

Anali Alanis, Interim City Manager, introduced the item and recommended the appointment of Mercedes Guillen.

Comm. Medina **moved** to appoint Mercedes Guillen as Alternate Member to the Planning and Zoning commission. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2023-21 is filed with the City Clerk's Office

- 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)**

Anali Alanis, Interim City Manager, introduced the item.

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

Resolution No. R-2023-22 is filed with the City Clerk's Office

- 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)**

Anali Alanis, Interim City Manager, introduced the item.

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

Resolution No. R-2023-23 is filed with the City Clerk's Office

ITEM 8. CONTRACTS/AGREEMENTS

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- 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)**

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 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)**

Anali Alanis, Interim City Manager, introduced the item and stated no action was needed.

ITEM 12. ADJOURNMENT

There being no other business to come before the board, Comm. Medina **moved** to adjourn. Comm. Carrillo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:40 p.m.

CITY OF PHARR

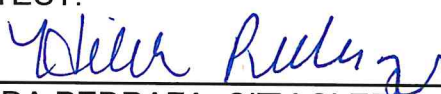


AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 17th DAY OF APRIL 2023 the Board of Commissioners of the City of Pharr, Texas convened in a **REGULAR CALLED MEETING** at the Commissioner's Room located at 118 S. Cage, 2nd Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:



HILDA PEDRAZA, CITY CLERK

APPROVED: May 15, 2023