

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
WEDNESDAY, JULY 5, 2023
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Wednesday, July 5, 2023 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Mayor Pro Tem Daniel Chavez
Comm. Michael Pacheco
Comm. Roberto Carrillo
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: Comm. Ramiro Caballero

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

CITY ATTORNEY Ricardo Rodriguez, Asst. 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 4:01 p.m. Roll call established a quorum.

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

Anali Alanis led the pledge of allegiance and said the invocation.

ITEM 2. PROCLAMATIONS:

A) PROCLAMATION PROCLAIMING JULY 2023 AS NATIONAL BERRIES MONTH

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Luis Bazan, Bridge Director, stated the Pharr International Bridge was the number one produce bridge in the nation and berries was number two in importation. At this time, he introduced Carlos Santos with Trans Kool Solutions.

Carlos Santos stated berries have been an important source of nutrients, fiber and antioxidants that protect the body from stress and improve the immune system. He further stated Pharr crossed \$1.32 billion in berries and thanked the Commission for the recognition.

Mayor Hernandez read proclamation proclaiming July 2023 as National Berries Month and presented proclamation to Luis Bazan and Carlos Santos.

ITEM 3. PUBLIC TESTIMONY

There were no comments from the public.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

There were no comments from the public.

Comm. Chavez entered the meeting at this point of the agenda. The time being 4:12 p.m.

ITEM 5. CITY MANAGER'S REPORTS

A) CITY ENGINEER'S REPORT

Anali Alanis, Interim City Manager, introduced the item and stated City Engineer was in the audience and questions could be entertained at this time.

B) CITY EVENTS OF INTEREST

Anali Alanis, Interim City Manager, went over upcoming events. She reported Parks and Recreation would be hosting a Caffeine and Gasoline Event on Saturday, July 8, 2023 in downtown park from 7:30 a.m. to 11:30 a.m. She also reported the Hub Market Day would take place on Saturday, July 8, 2023 in downtown park from 7:30 p.m. to 11:00 p.m. She invited the public to attend.

Anali Alanis, Interim City Manager, also reported Police Department would be having a Ride with a Cop every Tuesday starting July 11, 2023 from 6:00 p.m. to 8:00 p.m. at the Hike & Bike Trail. She further stated all age groups were welcome and participants would have to bring their own bicycle.

Lastly, Anali Alanis, Interim City Manager, reported the Parks and Recreation Department would be hosting a Flick and Float event on Saturday, July 15, 2023 from 7:00 p.m. to 10:00 p.m. at the Pharr Aquatic Center. She added this was a free event and the featured movie was Luca. She further reported the Independence Day Festival held on Saturday, July 1, 2023 had been a great success.

ITEM 6. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR JUNE 19, 2023 REGULAR CALLED MEETING. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2022-36 MUNICIPAL FIBER OPTIC FEE SCHEDULE (2ND READING). THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL TRANSPARENCY (IT)

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C) **CONSIDERATION AND ACTION, IF ANY, ON ORDER BETWEEN CITY OF PHARR AND JUSTFOIA FOR A RECORDS REQUEST TRACKING SYSTEM. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)**

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

1. LUIS A. MUÑOZ, REPRESENTING LA LEJUA INVESTMENTS, LLC., REQUESTED A CHANGE OF ZONE FROM NEIGHBORHOOD COMMERCIAL DISTRICT (N-C) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS LOT 109, VILLA SAN MIGUEL PHASE 3 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 906 WEST VILLA STREET. COZ#230503 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)

2. MARISCOS EL MUELLE, LLC, D/B/A MUELLE 37, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.28 ACRES, MORE OR LESS, OUT OF LOT A, H E B FUTURAMA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1300 EAST BUSINESS HIGHWAY 83, SUITE 6. CUP#201258 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

3. AIESTY, INC., D/B/A SEOUL ASIAN MARKET, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.30 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 4A, REPLAT OF VACATED CARMEL SUBDIVISION, VACATED EL CENTRO SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 500 NORTH JACKSON ROAD, SUITE M. CUP#191272 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

4. REGENCY HALL REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 10 AND 11, MACO BUSINESS CENTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 207 EAST FERGUSON AVENUE. CUP#161155 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

5. PIZZA PROPERTIES, INC., D/B/A PETER PIPER PIZZA #63, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS LOT 1, PLEASANTON SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1715 SOUTH CAGE BOULEVARD. CUP#060104 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)

Anali Alanis, Interim City Manager, introduced the item and recommended approval.

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

Ordinance No. O-2023-32 is filed with the City Clerk's Office.

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

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The time being 4:17 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 5:34 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 RESOLUTION APPOINTING ONE (1) BOARD MEMBER TO THE TIERRA DEL SOL GOLF CLUB ADVISORY BOARD. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (PARKS)

Anali Alanis, Interim City Manager, introduced the item and stated staff recommended Myla Anderson.

Comm. Carrillo moved to appoint Myla Anderson to the Tierra Del Sol Golf Club Advisory Board. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2023-38 is filed with the City Clerk's office.

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING TWO (2) MEMBERS OF THE BRIDGE BOARD. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (BRIDGE)

Anali Alanis, Interim City Manager, introduced the item and recommended reappointment of Adalberto Campero and appointment of Ilse Fernandez.

Comm. Medina Carrillo moved to reappoint Adalberto Campero and appoint Ilse Fernandez to the Bridge Board. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2023-39 is filed with the City Clerk's Office.

C) 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 EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

Anali Alanis, Interim City Manager, introduced the item.

Comm. Carrillo moved to approve as discussed in closed session. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2023-40 is filed with the City Clerk's Office.

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ITEM 8. CONTRACTS/AGREEMENTS

- A) **CONSIDERATION AND ACTION, IF ANY, ON AMENDMENT NUMBER 1 IN THE AMOUNT OF \$490,304.93 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH COBB, FENDLEY & ASSOCIATES, INC. FOR THE PHARR CITY-WIDE FIBER PROJECT. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ENGINEERING)**

Anali Alanis, Interim City Manager, introduced the item.

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

- B) **CONSIDERATION AND ACTION, IF ANY, ON AMENDMENT NUMBER 1 IN THE AMOUNT OF \$4,000.00 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH ALVARADO ARCHITECTS & ASSOCIATES, INC. FOR THE CITY OF PHARR-JAVELINA DRIVE MONUMENT SIGNS. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ENGINEERING)**

Anali Alanis, Interim City Manager, introduced the item.

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

- C) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AWARD A CONTRACT FOR THE DOWNTOWN PARK STATUE PROJECT TO MATA G. CONSTRUCTION FROM PENITAS, TX FOR THE AMOUNT OF \$39,600.00. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ENGINEERING)**

Anali Alanis, Interim City Manager, introduced the item.

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

- D) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH GDJ ENGINEERING, LLC, FOR PROFESSIONAL ENGINEERING SERVICES FOR LAS MILPAS ROAD FROM JACKSON ROAD TO CAGE BOULEVARD AND CAGE BOULEVARD TO I ROAD. 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.

- E) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO EXTEND THE SERVICE CONTRACT FOR PERFORMANCE MANAGEMENT SOFTWARE WITH ASCENDANT STRATEGY MANAGEMENT GROUP, LLC DBA CLEARPOINT STRATEGY FROM BOSTON, MA THROUGH GENERAL SERVICES ADMINISTRATION (GSA) COOPERATIVE CONTRACT NUMBER 511210. THIS ITEM SUPPORTS SE - SERVICE EXCELLENCE (PURCHASING)**

Anali Alanis, Interim City Manager, introduced the item.

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

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- F) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER AN AGREEMENT WITH TEXAS MANUFACTURING ASSISTANCE CENTER (TMAC) - UNIVERSITY OF TEXAS RIO GRANDE VALLEY (UTRGV) FOR THE ANNUAL STRATEGIC PLAN EVALUATION. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (OSE)**

Anali Alanis, Interim City Manager, introduced the item.

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

- G) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO A SERVICE CONTRACT FOR RESIDENTIAL FIBER INSTALLATION LABOR SERVICES FOR TEAMPHARR.NET WITH STX UNDERGROUND LLC FROM BROWNSVILLE, TEXAS THROUGH THE INTERLOCAL PURCHASING SYSTEM (TIPS) COOPERATIVE CONTRACT NUMBER 211001. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (IT)**

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 9. LEGAL

- A) **CONSIDERATION AND APPROPRIATE ACTION TO RATIFY A SETTLEMENT AND RELEASE AGREEMENT BETWEEN THE CITY OF PHARR, TEXAS AND FORMER CITY ATTORNEY PATRICIA A. RIGNEY (LEGAL)**

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 12. ADJOURNMENT

At this time, Mayor Hernandez thanked Anali Alanis, Interim City Manager, for her years of service and wished her well. Commissioners echoed Mayor's comments.

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:44 p.m.

CITY OF PHARR


AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 5th DAY OF JULY 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.

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ATTEST:



HILDA PEDRAZA, CITY CLERK

APPROVED: July 17, 2023