MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, MARCH 16, 2020
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, March 16, 2020 and following is the record of attendance.

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

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT:
Edward Wylie, Deputy City Manager
Hilda Pedraza, ACM/City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Ctr. Director
Karla Saavedra, Finance Director
Anali Alanis, ACM/HR Director
Edward Chavez, Asst. Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Dev. Services Director
Pilar Rodriguez, Interim Public Works Dir.
Sergio Alanis, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jose Pena, I.T. Director
Luis Bazan, Bridge Director
Veronica Gutierrez, Purchasing
Daniel Ramirez, Comm. Director

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1. CALL TO ORDER

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

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

Commissioner Carrillo was not present at the time of roll call, but arrived at 4:01 p.m.

B) PLEDGE OF ALLEGIANCE/INVOCATION

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

ITEM 2. PUBLIC TESTIMONY

At this time, Mayor Hernandez called upon Senator Eddie Lucio.

Eddie Lucio, State Senator, approached the podium and stated he was urged by the Democratic Party to petition the use of the Pharr Events Center. Mr. Lucio voiced his concern with the coronavirus outbreak and stated he hoped the Commission puts the community first in their decision. He further thanked them for their leadership.

Mayor Hernandez stated the health, safety, and wellbeing of the residents were the City's outmost priority. Therefore, the City was the first one to issue an Emergency Declaration in response to the COVID-19 (coronavirus) outbreak. He stated the Commission was aware of the importance of the event Senator Lucio spoke about thanked him for visiting the City of Pharr.

Norma Ramirez, Democrat Chairwoman, thanked the Commission for the opportunity and asked the Commission to consider allowing them to use the Pharr Events Center for their event. She stated the law required the delegates to convene on this date and they will make sure no more than 30 or 40 people attend at the same time. Ms. Ramirez stated the coronavirus was a serious matter but unfortunately, they could not change the date.

Mayor Hernandez called upon Dr. Narciso Garcia, Vanguard Academy Superintendent; Xavier Salinas, Hidalgo ISD Superintendent; and Jorge Palacios, Pharr-San Juan-Alamo ISD President.

Mayor Hernandez stated the Commission was honored to be working with the school districts in taking proactive measures to limit the spread of the coronavirus among students. For this reason, the City of Pharr would be partnering with the school districts for the purchase of additional electronic devices and hotspots as deemed necessary.

Xavier Salinas, Hidalgo ISD Superintendent, stated the health of the children was important to them and thanked the Commission for their partnership. He stated this was a good decision for everyone and they would be adhering to the City's recommendation.

Dr. Narciso Garcia, Vanguard Academy Superintendent, also thanked the Commission for their partnership and stated when he started at Vanguard Academy, there were only 500 electronic devices district wide. As of this year, there were 4,500 electronic devices and 4,587 students. He further stated they would be purchasing hot spots and more laptops for teachers that may need for distance learning. Lastly, Dr. Garcia stated Vanguard Academy would continue partnering with the City of Pharr and any other learning institution that needed their help.

Jorge Palacios, Pharr-San Juan-Alamo ISD President, stated they had been working on a plan since last week to make sure they have the necessary tools for students to be successful in case something like this did occur. Mr. Palacios stated their focus was on the safety, health and security of the students and staff and they were willing to work with the City of Pharr. He further thanked the Commission for their continued support and partnership.

Mayor Hernandez stated the schools would be providing meals to the students by pick-up or curbside to ensure that all Pharr area students are being fed healthy during this time that they are away from school.

At this time, Mayor Hernandez, stated they would deviate 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

D) CONSIDERATION AND ACTION ON REQUEST FROM THE RIO GRANDE DIABETES ASSOCIATION FOR USE OF THE DEVELOPMENT AND RESEARCH CENTER ON SATURDAY, APRIL 18, 2020 FOR THEIR "TOGETHER FOR OUR HEALTH" EVENT AND WAIVE RENTAL FEES (LIBRARY)

E) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. **TAQUERIA BORREGO PINTO, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 212, VALLE DE LA PRIMAVERA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 6615 SOUTH JACKSON ROAD. CUP#180208**

2. **PAPPAS RESTAURANTS, INC., D/B/A PAPPADEAUX SEAFOOD KITCHEN, 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 2, PAPPAS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1610 WEST EXPRESSWAY 83. CUP#100103**

3. **MARCELINO RICHIE REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN ACCESSORY USE STRUCTURE (GUEST HOUSE) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 17, SING'S #2 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 407 WEST RAMOS STREET. CUP#200210**

4. **TOTAL RETIREMENT SOLUTIONS, INC., REQUESTED A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 2 AND 3, BLOCK 1, VALENCIA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 313 WEST POLK AVENUE. COZ#200209**

PLATS:

1. **MELDEN & HUNT, INC., REPRESENTING CITY OF PHARR, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED P.S.J.A. AG BARN SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A SUBDIVISION OF 19.434 ACRES BEING A PART OR PORTION OUT OF LOT 224, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 2100 BLOCK OF SOUTH VETERANS BOULEVARD ("I" ROAD). SUB#180823**

Ed Wylie, Interim City Manager, introduced the item and stated any item may be removed from the consent agenda prior to a motion and vote.

Comm. Guajardo **moved** to remove item 5.C from the consent agenda and approve items 5.A and 5.B and 5.D through 5.E. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2020-09 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION ON REQUEST FROM HIDALGO COUNTY DEMOCRATIC PARTY FOR USE OF THE PHARR EVENTS CENTER ON SATURDAY MARCH 21, 2020 FOR A POLITICAL EVENT; AND THE WAIVING OF ASSOCIATED RENTAL FEES (EVENTS CENTER)

Mayor Hernandez introduced item 5.C and explained the item was removed from the consent agenda in the best interest of our constituents. He stated as per the Center for Disease Control and Prevention (CDC) guidelines and recommendations, the City of Pharr would be canceling or postponing any public events in efforts to mitigate the spread of COVID-19 virus.

There being no further discussion, Comm. Medina **moved** to deny the item. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE SETTING GUIDELINES AND FRAMEWORK FOR NEIGHBORHOOD EMPOWERMENT ZONE/BUSINESS IMPROVEMENT DISTRICT 2020-01 *(3RD AND FINAL READING) (TABLED)* (DEVELOPMENT SERVICES)

Ed Wylie, Interim City Manager, introduced the item and recommended the item be un-tabled.

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

Ed Wylie, Interim City Manager, recommended approval.

Comm. Carrillo **moved** to approve as recommended. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.
Ordinance No. O-2020-10 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING CHAPTER 110 OF THE PHARR CODE OF ORDINANCES CREATING ARTICLE VIII - RESIDENTIAL COLLECTION STATION, PROVIDING FOR COLLECTION AND DISPOSAL, DEFINING TERMS AND PRESCRIBING RATES *(1ST READING)* (PUBLIC WORKS)

Ed Wylie, Interim City Manager, introduced the item and recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, RATIFYING RESOLUTION DECLARING A DISASTER AND PUBLIC HEALTH EMERGENCY (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and noted a correction on the wording. He stated the item would be to ratify the continuing declaration instead of ratifying resolution. He further recommended approval.

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

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATE FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDING BY CITY ATTORNEY, CONTINGENT ON AVAILABLE FUNDING (DEVELOPMENT SERVICES)

Ed Wylie, Interim City Manager, introduced the item and stated this was for South Fir Street and recommended approval.

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

Resolution No. R-2020-15 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING FIVE (5) MEMBERS TO THE COMMUNITY DEVELOPMENT COUNCIL (GMCD)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated Ruben Solis had resigned and needed to be replaced. He recommended Olga Cardoza to replace Mr. Solis and re-appoint Trinidad Suchil, Lucio Gaytan, Norma Trevino, and Joe Hinojosa.

Comm. Medina **moved** to appoint Olga Cardoza and re-appoint Trinidad Suchil, Lucio Gaytan, Norma Trevino, and Joe Hinojosa to the Community Development Council. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2020-16 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING FIRE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY'S FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ITS FY 2019 ASSISTANCE TO FIREFIGHTERS PROGRAM FOR THE PURCHASE FIREFIGHTER'S EQUIPMENT (FIRE)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was to replace firefighter's equipment and the cost was $167,000. He further recommended approval.

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

Resolution No. R-2020-17 is filed with the City Clerk's Office.

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF WEST OLD BUSINESS 83 BETWEEN PALM DRIVE AND ASTER STREET FOR THE PURPOSE OF CONDUCTING THE VANGUARD ACADEMY 5K FOR CHILDREN WITH SPECIAL NEEDS ON SATURDAY, MAY 23, 2020 FROM 8:00 A.M. TO 12:00 P.M. (PARKS)

Ed Wylie, Interim City Manager, introduced the item and recommended approval contingent upon COVID-19 status.

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

Resolution No. R-2020-18 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 2 FOR THE CITY OF PHARR INTERNATIONAL BRIDGE FACILITY EXPANSION AND RENOVATIONS PROJECT (PROJECT # 1819-70-510-C005-395) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He briefly explained this was to replace LED lights and wiring for generator and the amount of the change order was $99,929.29. He recommended approval.

Comm. Carrillo **moved** to approve as recommended. Comm. Medina seconded the motion and when put to a vote, it carried by majority vote of six (6) ayes and one (1) abstention. Comm. Chavez abstained from voting.

B) CONSIDERATION AND ACTION, IF ANY, ON PERMISSION TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS FOR CONSTRUCTION MANAGEMENT SERVICES FOR NORTH SIDE EVENT CENTER AND GRANTING PERMISSION TO CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT FOR SUCH SERVICES (PROJECT #1920-01-510-S032-611) (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and recommended approval.

Comm. Guajardo **moved** to approve. Comm. Chavez seconded the motion.

Comm. Medina asked if the City would be waiting for reimbursement from the businesses.

Mayor Hernandez stated Senator Lucio had assisted the City of Pharr by funding $2 million dollars for this project and the City would be moving forward with the grant funding. He explained Comm. Medina was referring to the new restrictions for businesses from the federal government and the state regarding small business loans and any relief efforts. Mayor Hernandez stated the City would accelerate payment to the businesses in lieu of receiving money back so they can remain afloat.

The motion was put to a vote and it carried unanimously.

C) CONSULTATION WITH THE BOARD OF COMMISSIONERS ON THE HIRING OF A PUBLIC UTILITIES DIRECTOR (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and stated no action was necessary.

D) CONSULTATION WITH THE BOARD OF COMMISSIONERS ON CITY OF PHARR FESTIVALS (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and stated no action was necessary.

E) CONSULTATION WITH THE CITY COMMISSION ON COVID-19 (CONRONAVIRUS) MITIGATION MEASURES (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and stated no action was necessary.

ITEM 8. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AWARD PURCHASE OF POLICE SAFETY EQUIPMENT FOR FLEET TO GT DISTRIBUTORS USING BUYBOARD #524-17 (PROJECT #1920-01-512-P016-001) (POLICE)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was for the purchase of ten (10) new police units and emergency equipment in the amount of $71,619 and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AWARD A PURCHASE OF MOBILE DATA TERMINALS TO TURN KEY MOBILE USING TEXAS DIR CONTRACT #DIR-TSO-4025 (PROJECT #1920-01-512-P017-001) (POLICE)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was for mobile data terminals for the new police units for $57,340 and recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AWARD PURCHASE CONTRACT(S) TO MULTIPLE VENDORS FOR THE PURCHASE OF NINE (9) 2020 CITY VEHICLES (PROJECT #1920-01-528-P012-129) (PURCHASING)

Ed Wylie, Interim City Manager, introduced the item and stated the City received bids from two vendors and recommended award of contract to Caldwell Country Chevrolet and Boggus Ford.

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

ITEM 9. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER IN A CONTRACT WITH THE WARREN GROUP ARCHITECTS INC. FOR PROFESSIONAL ARCHITECTURAL & ENGINEERING SERVICES FOR THE DESIGN OF A NEW NORTH-SIDE EVENT CENTER (PROJECT #1920-01-510-S031-001) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER AMEND THE CONTRACT WITH GARCIA INFRASTRUCTURE CONSULTANTS, LLC. FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES RELATED TO THE SANITARY SEWER COLLECTION IMPROVEMENTS AND LIFT STATION 1, 29 AND 33 ELIMINATION PROJECT (PROJECT #1819-61-587-S028-001) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated the City applied for a grant with the Texas Water Development Board and the grant required an environmental document. He stated Garcia Infrastructure Consultants was the engineer on record for the project and they would be doing the environmental document. He further recommended approval.

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

ITEM 12. ADJOURNMENT

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Guajardo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:31 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 16th DAY OF MARCH 2020 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, Teas, certify that this is a true and correct copy of the minutes.

ATTEST:

HILDA PEDRAZA, CITY CLERK

APPROVED: April 6, 2020