MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JUNE 1, 2020
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, June 1, 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, Interim City Manager Anali Alanis, Assistant City Manager Hilda Pedraza, ACM/City Clerk Omar Anzaldua, City Engineer Karla Saavedra, Finance Director Veronica Ramirez, HR Director Gary Rodriguez, Events Center Director Marissa Hernandez, Municipal Court Judge Jose A. Luengo, Police Chief Melanie Cano, Dev. Services Director Pilar Rodriguez, Interim Public Works Dir. Sergio Alanis, Parks & Rec. Director Adolfo Garcia, Library Director Jose Pena, I.T. Director Luis Bazan, Bridge Director Ignacio Amezcua, Purchasing Director Daniel Ramirez, Communications 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.

B) PLEDGE OF ALLEGIANCE/INVOCATION

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

At this time, Jose A. Luengo, Police Chief, shared a message regarding the death of George Floyd and the unfortunate events taking place throughout the United States.

Mayor Hernandez expressed his sympathy towards George Floyd's family and stated people have a right to protest but they do not have the right to destroy anyone's property. He stated the City of Pharr would stand with the Police Department and the public and the City would do everything to protect businesses and homes. He further expressed his gratitude to the first responders who risk their lives every day and stated there should be a balance because the clients are our City of Pharr citizens and taxpayers.

Ed Wylie, Interim City Manager, asked Police Chief Luengo if he had met with his staff regarding a unified command in case anything would happen. Jose A. Luengo, Police Chief, stated they were in the process of working with the Hidalgo County and the surrounding entities on managing mass gatherings.

ITEM 2. PUBLIC TESTIMONY

There were no comments from the public.

ITEM 3. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Ed Wylie, Interim City Manager, opened the public hearing. There being no comments from the public, the public hearing was closed.

ITEM 4. CITY MANAGER'S REPORTS

Ed Wylie, Interim City Manager, stated hurricane season had started sandbags were available to the residents. Mr. Wylie also stated Public Works Department was currently dredging canals and commended staff for a great job.

Ed Wylie, Interim City Manager, briefly stated the City Commission would be having a workshop on cyber security after the meeting. He stated the training was state mandated requirements to be eligible for future funding.

A) CITY ENGINEER'S REPORT

Ed Wylie, Interim City Manager, introduced the item and stated questions could be entertained at this time.

Mayor Hernandez asked for a status report on the city-wide ditch widening project.

Omar Anzaldua, City Engineer, reported the City was soliciting bids for the hauling of the excavation of the city's ditches and stated the work would be done in-house by Public Works Department. He stated since the City did not have the resources to haul the volume of earthworks they went out for bids. Mr. Anzaldua explained the project consisted of two phases. The first phase would be dredging, and cleaning of ditches and the second phase would be to add more capacity/detention. He further stated he anticipated awarding of contract at the next meeting.

Comm. Carrillo stated by adding capacity the water to go into the ditches rather than out to the streets or inside homes. He asked if the City was working with Hidalgo County Drainage District No. 2 to have them clean their drainage system as well.

Omar Anzaldua, City Engineer stated he would contact Hidalgo County Drainage District No. 2 for cleaning of their drainage system. Pilar Rodriguez, Interim Public Works Director, stated he estimated a one-year turn-around time to excavate all the channels to a wider section.

Mayor Hernandez stated the goal for the project was at the start of hurricane season because and asked City Engineer and Interim Public Works Director to coordinate how they could achieve this goal.

Comm. Chavez stated Hidalgo County Drainage District No. 2's ditches were very dirty in South Pharr last hurricane season. He also asked staff to meet with the county to clean their ditches and work together in accomplishing this project to better assist the citizens of Pharr.

Comm. Carrillo stated the City of Pharr needed to aggressively get with Hidalgo County Drainage District No. 2 regarding the ditches because he does not want the City of Pharr to be under water as it was last hurricane season. He further stated if the County draining ditches had been cleaned last season this would have helped the City of Pharr by 50%.

ITEM 5. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR MAY 18, 2020 REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. **LAS PUPUSAS DEL ITACATE, LLC., 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 0.054 ACRES OUT OF LOT 1A, TIM DEVELOPMENT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 807 SOUTH JACKSON ROAD, SUITE 6. CUP#180318**

2. **JUAN F. GARZA, 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 A 0.073 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 2, BROWNING COMMERCIAL AREA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1000 NORTH CAGE BOULEVARD, SUITE A. CUP#150325**

3. **PARADISE BAR AND GRILL LLC, DBA CANTINA BAR AND GRILL, 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 187, VALLE DE LA PRIMAVERA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 6905 SOUTH JACKSON ROAD. CUP#170209**

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

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

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

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 5:30 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION EXECUTING AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE COMMERCIAL VEHICLE STAGING AREA, CSJ: 0921-02-423. *(TABLED)* (ENGINEERING)

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

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

Ed Wylie, Interim City Manager, stated the Advance Funding Agreement had been fixed and the City would be allotted $4 Million for this project. He further recommended approval.

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

Resolution No. R-2020-25 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION EXECUTING AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE DOCK EXPANSION PHASE I (DRY UNITS) AT PHARR INTERNATIONAL BRIDGE, CSJ: 0921-02-424. *(TABLED)* (ENGINEERING)

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

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

Ed Wylie, Interim City Manager, stated the Advance Funding Agreement had been fixed and the City would be allotted $3 Million for this project. He further recommended approval.

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

Resolution No. R-2020-26 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION EXECUTING AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE DOCK EXPANSION PHASE II (COLD UNITS) AT PHARR INTERNATIONAL BRIDGE, CSJ: 0921-02-425 *(TABLED)* (ENGINEERING)

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

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

Ed Wylie, Interim City Manager, stated the Advance Funding Agreement had been fixed and the City would be allotted $5 Million for this project. He further recommended approval.

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

Resolution No. R-2020-27 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION IF ANY, ON RESOLUTION AUTHORIZING THE CITY OF PHARR TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY'S FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR ITS FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - COVID -19 SUPPLEMENTAL (FIRE)

Ed Wylie, Interim City Manager, introduced the item and briefly stated this was for the purchase of protective equipment and the city's cost would be $5,486.36. He further recommended approval.

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

Resolution No. R-2020-28 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION IF ANY, ON RESOLUTION AUTHORIZING THE CITY OF PHARR TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR ITS 2019 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT (FIRE)

Ed Wylie, Interim City Manager, introduced the item and stated this was for nine (9) additional firefighters with a cost sharing of 75% for the first two years and 35% for the final year of the program. 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-2020-29 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING TWO (2) MEMBERS TO THE PARKS AND RECREATION ADVISORY BOARD (PARKS)

Ed Wylie, Interim City Manager, introduced the item and stated members wished to be reappointed.

Comm. Carrillo **moved** to reappoint Gabriel Trevino and Juan Garcia to the Parks and Recreation Advisory Board. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2020-30 is filed with the City Clerk's Office.

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING THREE (3) MEMBERS TO THE KEEP PHARR BEAUTIFUL COMMITTEE (PARKS)

Ed Wylie, Interim City Manager, introduced the item and stated members wished to be reappointed.

Comm. Carrillo **moved** to reappoint Mari Caballero, Richard Carranza, and Romeo Robles Jr. to the Keep Pharr Beautiful Committee. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2020-31 is filed with the City Clerk's Office.

H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DIRECTING STAFF TO INITIATE MUNICIPAL ANNEXATION PROCEDURES (DEVELOPMENT SERVICES)

Ed Wylie, Interim City Manager, introduced the item. He briefly explained this was to initiate procedures to annex property of approximately 110 acres in the Extra Territorial Jurisdiction (ETJ) south of the floodway and recommended approval.

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

Resolution No. R-2020-32 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON ACCEPTANCE OF THE CITY OF PHARR HI-LINE 16-IN. WATERLINE PROJECT AND AUTHORIZATION TO RELEASE FINAL PAYMENT AND RETAINAGE IN THE AMOUNT OF $40,947.98 (PROJECT #1819-60-583-C015-051) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was part of the City's incentive to bring businesses and stated the water line was in service and had increased water pressure. He further recommended approval.

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

ITEM 8. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF RESCUE TOOLS FOR THE NEW FIRE DEPARTMENT RESCUE TRUCK FROM MUNICIPAL EMERGENCY SERVICES THROUGH HGAC PRICING IN THE AMOUNT OF $87,301.49 (PROJECT NO. 1920-01-515-P023-001) (FIRE)

Ed Wylie, Interim City Manager, introduced the item. He stated this was to replace old tools in the current rescue truck and upgrade the new ordered truck. He further stated this was state pricing and recommended approval.

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, ON BUSINESS ASSOCIATE ADDENDUM (BAA) WITH HIDALGO COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT (POLICE)

Ed Wylie, Interim City Manager, introduced the item. He briefly explained this was to protect health information on COVID-19 patients and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, AWARDING SUPPLY CONTRACT FOR THE TRAFFIC SIGNAL LOOP DETECTOR REPLACEMENT PROJECT (BID NO.1920-40-510-C036-034) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item and recommended awarding contract to sole bidder D&G Energy Services for a one-year contract in the amount of $136,740.

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AMEND CONTRACT WITH TEDSI INFRASTRUCTURE GROUP INC. FOR CONSTRUCTION SUPPORT SERVICES FOR THE CONSTRUCTION OF THE SECOND BSIF EXIT (PROJECT #1718-01-528-0033) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He stated this was for construction support services for the Second BSIF Exit project in the amount of $30,000 and 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.

D) CONSIDERATION AND ACTION, IF ANY, ON DONATION ACCEPTANCE AGREEMENT WITH THE UNITED STATES GOVERNMENT FOR THE PHARR/REYNOSA INTERNATIONAL BRIDGE-FY16 DONATION ACCEPTANCE PROGRAM (DAP) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was for the maintenance and operation of the facility and the estimated annual amount was $891,000. He further stated this was tied to the FY15 program and the project was currently in the construction phase. He further recommended approval.

Comm. Medina **moved** to approve as recommended. Comm. Carrillo seconded the motion.

Mayor Hernandez asked on the cost for maintenance. Luis Bazan, Bridge Director, explained the Donation Acceptance Program (DAP) was under federal government guidelines. He stated the city had been aware that a maintenance agreement needed to be in place either on a yearly basis or until the Department of Homeland Security (DHS) could fund the project.

There being no further comments, the motion was put to a vote and carried unanimously.

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO AND NEGOTIATE AN INTERLOCAL AGREEMENT WITH HIDALGO COUNTY FOR EXCLUSIVE AND SOLE AUTHORITY TO REGULATE SUBDIVISION PLATS AND RELATED PERMITS WITHIN THE CITY OF PHARR'S EXTRA-TERRITORIAL JURISDICTION, PURSUANT TO SUBCHAPTER A OF CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item. He stated the city currently had 15,000 acres in its Extra Territorial Jurisdiction (ETJ) area and could expand. He stated Hidalgo County and the City of Pharr had subdivision development jurisdiction and this agreement would give the City of Pharr sole and exclusive jurisdiction in the regulation of subdivision plat within the City's ETJ. He further recommended approval.

Comm. Guajardo **moved** to approve as recommended. Comm. Medina 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 5:40 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 1st DAY OF JUNE 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, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:

HILDA PEDRAZA, CITY CLERK

APPROVED: June 15, 2020