

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JULY 20, 2020
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, July 20, 2020 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Mayor Pro Tem Roberto “Bobby” Carrillo
Comm. Daniel Chavez
Comm. Ricardo Medina

**BOARD OF COMMISSIONERS PRESENT
VIA VIDEOCONFERENCE:** Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: Comm. Eleazar Guajardo
Comm. Ramiro Caballero

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
Criselda Rincon, Municipal Court Judge
Andrew Harvey Jr., Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Development Services Dir.
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
Victor Perez. PEDC Director
Ignacio Amezcua, Purchasing Director
Daniel Ramirez, Communications Director
Karina Lopez, Interim Chamber President

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 4:01 p.m. Roll call established a quorum.

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

B) PLEDGE OF ALLEGIANCE/INVOCATION.

Anali Alanis, Assistant City Manager, led in the pledge of allegiance and said the invocation.

ITEM 2. PUBLIC TESTIMONY

Carlos Ramirez spoke against agenda item 5.D.5 and voiced his concerns regarding the traffic.

Miranda Ramirez spoke against agenda item 5.D.5 and voiced her concerns regarding the traffic.

There being no further comments, the public testimony was closed.

ITEM 3. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Ramiro and Deyanira Robles spoke against agenda item 5.D.5. Mrs. Robles expressed her concern with the increase of traffic by stating it would be difficult and dangerous to get in and out of their subdivision.

Robert Hernandez spoke against agenda item 5.D.5 and expressed concerns with traffic congestion. He stated the business would increase existing traffic issues from other surrounding schools in the area.

ITEM 4. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR JULY 2020

Ed Wylie, Interim City Manager, introduced the item. He reported the City of Pharr had an increase of 4.3% for the month and an increase of 1.98% for the year.

B) SUBMISSION OF PROPERTY TAX COLLECTION REPORT FOR JUNE 2020

Ed Wylie, Interim City Manager, introduced the item and reported the City of Pharr had a decrease of .38% collection rate, showing a decrease of 2.09% from last year.

ITEM 5. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR JULY 6, 2020 REGULAR CALLED MEETING AND JULY 13, 2020 SPECIAL CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR CITY WIDE ELECTRICAL ON-CALL SERVICES (PROJECT NO. 1920-01-528-S041-001) (ENGINEERING)

C) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR CITY WIDE HVAC ON-CALL SERVICES (PROJECT NO. 1920-01-528-S042-001) (ENGINEERING)

D) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. RUDY'S TEXAS BAR-B-Q, L.L.C./CARLOS TORRES, D/B/A RUDY'S COUNTRY STORE BAR-B-Q, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, LOS HOTELES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 209 WEST NOLANA LOOP. CUP#040644

2. EDINBURG RAM, LLC, D/B/A KHAN'S 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 6A, JACKSON RIDGE COURT SUBDIVISION PHASE III – AMENDED PLAT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1005 SOUTH JACKSON ROAD. CUP#180644
3. KHANH NGUYEN, D/B/A SNOW BITE, 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 0.078-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 4A, REPLAT OF VACATED CAR-MEL SUBDIVISION, VACATED EL CENTRO MALL NO. 3 & 4 SUBDIVISION PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 500 NORTH JACKSON ROAD, SUITE L-2. CUP#190536
4. ANGELA OLIVA REQUESTED A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO NEIGHBORHOOD COMMERCIAL DISTRICT (N-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 12 AND 13, FORD'S SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 410 WEST SAM HOUSTON AVENUE. COZ#200628
5. LITTLE EXPLORERS DEVELOPMENT & LEARNING CENTER, LLC. REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) AND SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.499-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 5, BLOCK 8, A.J. MCCOLL SUBDIVISION AND BEING A 0.458-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 1, C.D. SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED 2301 SOUTH JACKSON ROAD. COZ#200629

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.

Ordinance Nos. O-2020-21 and O-2020-22 are filed with the City Clerk's Office.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

- A) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2007-06 AND ADOPTING A NEW AND UPDATED ORDINANCE KNOWN AS "SUBSTANDARD STRUCTURES" (3RD AND FINAL READING) (DEVELOPMENT SERVICES)**

Ed Wylie, Interim City Manager, introduced the item and 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-2020-23 is filed with the City Clerk's Office.

- B) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY OF PHARR AND TEXAS GAS SERVICE REGARDING THE COMPANY'S APRIL 30, 2020 COST OF SERVICE ADJUSTMENT (COSA) FILING (ADOPTION ON 1ST READING) (ADMINISTRATION)**

Ed Wylie, Interim City Manager, introduced the item.

Patricia Rigney, City Attorney, briefly explained Texas Gas Service filed for a rate increase of \$1.9 million and stated several cities hired a firm to review and negotiate a settlement. She stated an agreement was reached and the rate was reduced to \$1.8 million across the board. She further stated Texas Gas Service would be issuing a refund to some customers over the next couple of months and recommended approval.

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

Ordinance No. O-2020-24 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2019-40 FOR BUDGET AMENDMENTS TO THE FISCAL YEAR 2019-2020 BUDGET (ADOPTION ON 1ST READING) (FINANCE)

Ed Wylie, Interim City Manager, introduced the item. He stated this was the first budget amendment to reduce budget in the amount of \$2,927,800 and explained the adjustments were on the revenue side due to businesses affected by COVID-19. He further stated the City increased the budget to hire additional personnel, purchase of radio system equipment and 380 incentive agreements.

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

Ordinance No. O-2020-25 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTMENT TWO (2) ALTERNATE MEMBERS TO THE BOARD OF ADJUSTMENT (ADMINISTRATION)

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

Comm. Medina **moved** to reappoint Rogelio Torres and Ramiro Gutierrez to the Board of Adjustment. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2020-34 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING ONE (1) REGULAR MEMBER TO THE PLANNING AND ZONING COMMISSION (ADMINISTRATION)

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

Comm. Carrillo **moved** to approve to reappoint Jonathan Larraga to the Planning and Zoning Commission. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2020-35 is filed with the City Clerk's Office.

- F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF US 281 FROM OLD BUSINESS 83 TO KELLY AVE. FOR VARIOUS DOWNTOWN LIGHT IMPROVEMENTS ON TUESDAY, JULY 21, 2020 FROM 6:00 A.M. TO WEDNESDAY JULY 22, 2020 6:00 P.M. (ENGINEERING)**

Ed Wylie, Interim City Manager, introduced the item and 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-2020-36 is filed with the City Clerk's Office.

- G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPROVING THE CERTIFICATE OF FORMATION AND BYLAWS OF THE HIDALGO COUNTY REGIONAL FOREIGN TRADE ZONE (HCRFTZ) (ADMINISTRATION)**

Ed Wylie, Interim City Manager, introduced the item and stated this was for the adoption of the bylaws to create the Hidalgo County Regional Foreign Trade Zone. He stated this was a combination of cities to include Edinburg, Pharr, Donna, Weslaco, and the County of Hidalgo to enhance the foreign trade and economic development in the County. He further recommended approval.

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

Resolution No. R-2020-37 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

- A) DISCUSSION AND POSSIBLE ACTION REGARDING DOWNTOWN DECORATIVE LIGHTS (ENGINEERING)**

Ed Wylie, Interim City Manager, introduced the item and stated item would be discussed in closed session.

ITEM 8. PURCHASING

- A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF FIVE (5) PORTABLE DYNAMIC MESSAGE BOARDS FOR THE PUBLIC WORKS DEPARTMENT FROM BUYERS BARRICADES THROUGH BUY BOARD PRICING IN THE AMOUNT OF \$78,250 UTILIZING CARES FUNDING. (PROJECT NO. 1920-01-517-P024-001) (PUBLIC WORKS)**

Ed Wylie, Interim City Manager, introduced the item 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, ON THE PURCHASE OF COMMISSION CHAMBERS MEDIA CONTROL ROOM AUDIO/VIDEO UPGRADE FOR THE MEDIA DEPARTMENT FROM DESIGNS THAT COMPUTE DBA VISIONALITY THROUGH TEXAS DIR COOP PRICING IN THE AMOUNT OF \$62,459.39 UTILIZING CARES FUNDING (PROJECT NO. 1920-01-518-P025-001) (IT)**

Ed Wylie, Interim City Manager, introduced the item 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, AUTHORIZING CITY MANAGER TO EXTEND THE SERVICE CONTRACT WITH PAVEMENT MARKINGS, INC. FOR CITY-WIDE PAVEMENT MARKING SERVICES (PROJECT #1718-01-517-C006-147) (PURCHASING)

Ed Wylie, Interim City Manager, introduced the item and recommended a one-year extension with no increase to the original pricing.

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 11. 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 4:31 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 12. RECONVENE

The time being 4:48 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 7. ADMINISTRATIVE

A) DISCUSSION AND POSSIBLE ACTION REGARDING DOWNTOWN DECORATIVE LIGHTS (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item and stated no action would be taken.

ITEM 10. LEGAL

A) CONSULTATION, AND ACTION, IF ANY, WITH CITY ATTORNEY REGARDING SETTLEMENT OF GABRIEL CABRERA VS. CITY OF PHARR, NO. 7:17-CV-00369 AND GABRIEL CABRERA VS. CITY OF PHARR, NO. C-0217-18-G (ON APPEAL CAUSE NO. 13-18-00559-CV) (LEGAL)

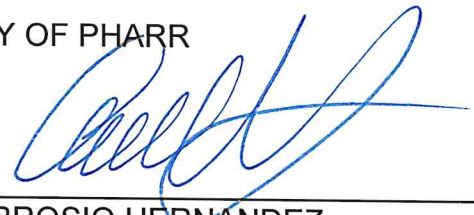
Ed Wylie, Interim City Manager, introduced the item and recommended approval as discussed in closed session.

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

ITEM 13.ADJOURNMENT

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:49 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 20th DAY OF JULY 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: August 3, 2020