MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, AUGUST 17, 2020
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, August 17, 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
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.
Ruben Rosales, Public Utilities 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 4:00 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.

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

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR AUGUST 2020

Ed Wylie, Interim City Manager, introduced the item. He reported the City of Pharr had an increase of 3.54% year-to-date true growth compared to last year and a 13.89% increase in collected payments for the month. He further reported the City of Pharr was 4th place in the valley in sales tax.

B) SUBMISSION OF PROPERTY TAX COLLECTION REPORT FOR JULY 2020

Ed Wylie, Interim City Manager, introduced the item and reported the City of Pharr was on target and showed a 95.22% collection rate.

ITEM 5. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR AUGUST 3, 2020 REGULAR CALLED MEETING AND AUGUST 11, 2020 WORKSHOP SESSION (ADMINISTRATION)

B) CONSIDERATION AND ACTION ON REQUEST FROM HIDALGO COUNTY ELECTIONS DEPARTMENT TO USE THE PHARR DEVELOPMENT AND RESEARCH CENTER AND THE JOSE "PEPE" SALINAS RECREATION CENTER AS EARLY VOTING AND ELECTION DAY POLLING LOCATIONS FOR THE NOVEMBER 3, 2020 GENERAL ELECTIONS (ADMINISTRATION)

C) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. **ANTONIO RODRIGUEZ AND SYLVIA RODRIGUEZ, D/B/A VERONA EVENT CENTER II, LLC, 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 2 AND 3, MACO BUSINESS CENTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 109 EAST FERGUSON AVENUE. CUP#100623**

2. **THE CITY OF PHARR, D/B/A PHARR EVENTS CENTER, 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 1, TIP-O-TEXAS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3000 NORTH CAGE BOULEVARD. CUP#160627**

3. **R.G.V. & ASSOCIATES/LAURA L. GARZA, D/B/A GEORGE'S DANCE HALL, 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 LOTS 197, 198, AND 199, VALLE DE LA PRIMAVERA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 6801 SOUTH JACKSON ROAD. CUP#120529**

4. **SMOKIN' MOON, LLC., REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS 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 ALL OF LOT 1-A AND THE EAST 26.7 FEET OF LOT 1, ALBRAD UNIT NO. 1 SUBDIVISION, PHARR, HIDALGO COUNTY,**

TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1617 WEST POLK AVENUE. CUP#180648

5. ROMMEL ORGANISTA, D/B/A KURAI CHINESE & SUSHI RESTAURANT, 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 0.05 ACRE, MORE OR LESS, OUT OF LOT 1, JACKSON RIDGE COURT PHASE II SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1201 SOUTH JACKSON, SUITE 1. CUP#120424

6. MARIO ALBERTO TORRES D/B/A ON THE GRILL RESTAURANT, 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 0.075 OF AN ACRE, MORE OR LESS, OUT OF LOT 1, JACKSON RIDGE COURT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1201 SOUTH JACKSON ROAD, SUITE 7. CUP#170740

7. CARLOS R. ELIZONDO, D/B/A SEPI'S, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A BUSINESS DISTRICT (C-2). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 22, BLOCK 30, PHARR ORIGINAL TOWNSITE, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 212 WEST STATE STREET. CUP#190641

PLATS:

1. NAIN ENGINEERING, L.L.C., REPRESENTING BENJAMIN CAVAZOS, MEMBER OF BADGER'S INVESTMENTS, L.L.C., REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED G.E.C. SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 4.13-ACRE TRACT OF LAND, OUT OF LOT 96, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5201 NORTH VETERANS BOULEVARD ("I" RD.). SUB#190718

2. PABLO SOTO JR., P.E., REPRESENTING CARMEN AURELIA DE LA FUENTE, OWNER, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED FEROLL ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.96 ACRE TRACT OF LAND, OUT OF LOT 5, BLOCK 11, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1300 BLOCK OF WEST GREG DRIVE. SUB#200208

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

Comm. Guajardo **moved** to approve as recommended. 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 ALLOWING TEMPORARY OUTDOOR DINING *(ADOPTION ON 1ST READING)* (DEVELOPMENT SERVICES)

Ed Wylie, Interim City Manager, introduced the item. He stated this would provide an opportunity for restaurants to use up to 50% of their parking lot for outdoor dining in an effort to stimulate business recovery. He further recommended approval.

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

Ordinance No. O-2020-30 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPROVING STONEGARDEN GRANT PROGRAM (OPSG) FOR FUNDING YEAR 2019 TO SUPPORT OVERTIME AND OPERATIONAL COSTS FOR INCREASED PATROL AND INVESTIGATIVE CAPACITY FOR CERTIFIED PEACE OFFICERS AND LAW ENFORCEMENT SUPPORT PERSONNEL CONDUCTING BORDER SECURITY OPERATIONS (POLICE)

Ed Wylie, Interim City Manager, introduced the item. He briefly explained the grant was for funding year 2019 but also covered the 2020-2021 year for overtime purposes. 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.

Resolution No. R-2020-43 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 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. He briefly explained this was for drainage improvements on the south side 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-2020-44 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

A) DISCUSSION AND ACTION FOR VOTE ON PROPOSED TAX RATE INCREASE AND SCHEDULE PUBLIC HEARING (FINANCE)

Ed Wylie, Interim City Manager, introduced the item and stated a public hearing would take place on September 8, 2020 at 4:00 p.m. He briefly explained this was not a tax rate increase and the rate would remain the same. But since property values increased, the City would generate more income than last year at the same rate. He further recommended approval of the current tax rate of .7176¢.

Mayor Hernandez **moved** to approve the proposed tax rate increase of .7176¢; Comm. Guajardo **moved** to approve the proposed tax rate increase of .7176¢; Comm. Carrillo **moved** to approve the proposed tax rate increase of .7176¢; Comm. Caballero **moved** to approve the proposed tax rate increase of .7176¢; Comm. Chavez **moved** to approve the proposed tax rate increase of .7176¢; Comm. Medina **moved** to approve the proposed tax rate increase of .7176¢; and Comm. Flores **moved** to approve the proposed tax rate increase of .7176¢. The motion carried unanimously.

B) CONSIDERATION AND ACTION, IF ANY, ON SUBMITTAL TO HIDALGO COUNTY FOR CARES ACT SUPPLEMENT/EMERGENCY FUNDING AND FINDING ALL SUBMITTALS REASONABLE AND NECESSARY FOR THE INTENDED USE (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and stated Hidalgo County received $151 million in CARES Act funding to be distributed among the cities. He stated the City of Pharr received $114 per person but the county had allotted the cities $134 per person. He stated Hidalgo County kept approximately $50 million countywide, a difference of $18 per person, and the City still had expenses as outlined in the original agreement. He further recommended approval.

Comm. Medina **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 CITY MANAGER ACCEPTING THE PURCHASE OF THE PROPERTY LOCATED AT 424 N. CAGE IN THE AMOUNT OF $49,289.00. (GMCD)

Ed Wylie, Interim City Manager, introduced the item. He stated on September 6, 2016, City Commission authorized City Manager to make an offer on the property, but the owner did not accept the offer at that time. He stated the property was the old barber shop where the Pharr Riots started, and it was a part of the City's history. He further stated the family was interested in selling the building and agreed to sell the property at the appraised value of $49,289. Therefore, he recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE AND INSTALLATION OF DATA CABLING FOR THE POLICE DEPARTMENT FROM TELEPRO COMMUNICATIONS THROUGH TIPS #200105 (PROJECT NO. 1920-01-518-S048-001) (IT)

Ed Wylie, Interim City Manager, introduced the item and recommended approval of purchase in the amount of $56,304.50.

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

C) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF TWO PAYMENT KIOSKS FOR MUNICIPAL COURT AND UTILITY BILLING FROM ADCOMP SYSTEMS INC. IN THE AMOUNT OF $87,992.64 UTILIZING CARES FUNDING (PROJECT NO. 1920-01-518-P029-001) (IT)

Ed Wylie, Interim City Manager, introduced the item. He stated this was on a Buyboard contract and customer would have access to make payments 24 hours 7 days a week. He stated the kiosks would be placed at the Police Department lobby and at the drive-thru located behind City Hall. He further recommended approval.

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

Mayor Hernandez voiced his concern with the placement of the kiosk at the Police Department lobby. Ed Wylie, Interim City Manager, stated the Police Department lobby was opened 24 hours and if the kiosks were a success, the City would consider placing additional kiosks in other buildings.

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

D) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF A 50' SEQUOIA CHRISTMAS TREE FOR DOWNTOWN PHARR FROM ARNETT MARKETING, LLC THRU BUYBOARD CONTRACT #562-18 (PROJECT NO.1920-01-522-P030-001) (PARKS)

Ed Wylie, Interim City Manager, introduced the item. He stated the current Christmas tree was over 15 years old and recommended approval.

Comm. Guajardo **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 INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE CITIES OF EDINBURG AND PHARR TO UTILIZE TETRA TECH FOR EMERGENCY DEBRIS REMOVAL MONITORING AND PLANNING SERVICES (PROJECT NO. 1920-01-517-S049-001) (PUBLIC WORKS)

Ed Wylie, Interim City Manager, introduced the item. He stated as a result of Hurricane Hanna, Waste Management was not able to pick-up brush fast enough, but a contingency plan was in place. He stated the City pre-positioned debris removal contract with Ceres Environmental Services to collect debris for disposal at the City of Edinburg landfill. In coordination with the debris removal, the City required debris removal monitoring services to keep track of the quantity of loads and the type of debris that was collected for possible reimbursement from FEMA.

Ed Wylie, Interim City Manager, further stated the City did not have a debris removal monitor vendor on contract but the City of Edinburg had procured a debris monitoring contract with Tetra Tech and was willing to allow the City of Pharr to utilize this contract via an interlocal cooperative agreement. Therefore, he recommended approval.

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

At this time, Ed Wylie, Interim City Manager, stated they would deviate from the agenda and go to 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 4:13 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 4:33 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 9. CONTRACTS/AGREEMENTS

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE CITY MANAGER TO AMEND THE EXISTING DESIGN-BUILD CONTRACT WITH INTERNATIONAL CONSULTING ENGINEERS (ICE) FOR PHASE II OF THE DOWNTOWN GATEWAY AND LIGHTING IMPROVEMENTS (PROJECT NO. 1819-39-510-S026-001) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item and stated this was for the connection of decorative overhead hanging structures for the downtown area. He stated the contract amendment was in the amount of $325,000 and recommended approval.

Comm. Medina **moved** to approve as recommended. Comm. Guajardo 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.

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 4:34 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 17th DAY OF AUGUST 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: September 8, 2020