

MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, OCTOBER 19, 2020
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, October 19, 2020 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Ramiro Caballero
Comm. Daniel Chavez
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: Mayor Pro Tem Roberto “Bobby” Carrillo

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
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
Danny Ramirez, Communications Director
Lisa C. Salinas, 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

Alternate Mayor Pro Tem Chavez called the meeting to order at 4:00 p.m. Roll call established a quorum.

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

Mayor Hernandez was not present at the time of roll call but arrived at 4:09 p.m.

B) PLEDGE OF ALLEGIANCE/INVOCATION

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

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING PHARR POLICE DEPARTMENT SOCIAL CONTRACT

Alternate Mayor Pro Tem Chavez read proclamation proclaiming Pharr Police Department Social Contract and presented proclamation to Police Department staff.

Andrew Harvey, Police Chief introduced his new command staff Assistant Police Chief Joel Robles, Deputy Chief Michael Mendoza, and Deputy Chief Juan Gonzalez. Chief Harvey stated the social contract would hold the department accountable and together move forward towards excellence. He further thanked the City Commission for their support.

ITEM 3. PUBLIC TESTIMONY

There were no comments from the public.

ITEM 4. 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.

B) PUBLIC HEARING: SOLICITATION OF COMMENTS FROM THE GENERAL PUBLIC ON THE VOLUNTARY ANNEXATION OF 58 ACRES, MORE OR LESS, GENERALLY LOCATED EAST OF VETERAN'S BOULEVARD AND NORTH OF MILITARY HIGHWAY, IN THE CITY OF PHARR'S EXTRATERRITORIAL JURISDICTION (ETJ), IN HIDALGO COUNTY, TEXAS (DEVELOPMENT SERVICES)

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

C) PUBLIC HEARING: SOLICITATION OF COMMENTS FROM THE GENERAL PUBLIC ON THE SOUTH PHARR REGIONAL DETENTION FACILITY AND DRAINAGE IMPROVEMENT PROJECT GRANT APPLICATION (ENGINEERING)

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

D) PUBLIC HEARING: SOLICITATION OF COMMENTS FROM THE GENERAL PUBLIC ON THE SOUTHEAST PHARR DRAINAGE MITIGATION PROJECT PHASE I GRANT APPLICATION (GMCD)

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

ITEM 5. CITY MANAGER'S REPORTS

A) SUBMISSION OF TAX COLLECTION REPORT FOR SEPTEMBER 2020

Ed Wylie, Interim City Manager, introduced the item and briefly reported the City of Pharr was on track showing a 96% collection rate.

B) SUBMISSION OF SALES TAX COLLECTION REPORT FOR OCTOBER 2020.

Ed Wylie, Interim City Manager, introduced the item. He stated the City of Pharr was first place in the valley in sales tax for month-to-month at 16.46% and the City was showing positive by 4.14% for the year.

C) SUBMISSION OF 4TH QUARTER 2019-2020 CITY OF PHARR INVESTMENT REPORT

Ed Wylie, Interim City Manager, introduced the item and stated the full report was included in packet. He stated all accounts were fully funded with no issues to report and questions could be entertained at this time.

D) SUBMISSION OF OFFICIAL BUDGET DOCUMENT FOR FY 2020-2021

Ed Wylie, Interim City Manager, introduced the item and called upon Karla Saavedra.

Karla Saavedra, Finance Director, stated the budget document was adopted on September 21, 2020 and it was being presented as a formality as per Government Finance Officers Association (GFOA) guidelines.

Mayor Hernandez entered the meeting at this point of the agenda. The time being 4:09 p.m.

Ed Wylie, Interim City Manager, stated October was Breast Cancer Awareness month and the City was supporting by wearing pink and placing pink bows in the downtown parks.

Ed Wylie, Interim City Manager, further reported the City of Pharr would be hosting a Trunk or Treat event on Friday, October 23, 2020 from 6:00 p.m. to 8:00 p.m. at the Pharr Events Center, Pharr Sports Complex, and Development and Research Center. He welcomed the public to come out and get some treats.

Ed Wylie, Interim City Manager, reported the Movies in the Parking Lot would take place on Saturday, October 24, 2020 at Pharr Events Center starting at 7:30 p.m. and stated movie showing by popular vote would be The Nightmare Before Christmas.

Ed Wylie, Interim City Manager, further reported the Trail of Terror would take place from Monday, October 26, 2020 thru Friday, October 30, 2020 from 7:30 p.m. to 10:00 p.m. at the Pharr/Vanguard Academy Nature and Birding Center. He further stated this was a ticketed event and tickets could be available at the Pharr Memorial Library at no charge.

Ed Wylie, Interim City Manager, announced Pharr IT Department was recognized for winning the Excellence Award at this year's Texas Association of Governmental Information Technology Managers (TAGITM) Conference. He stated the department won the award for the City's 911 Communication and Data Center project. Mr. Wylie further stated this was the first time any city or county in the Rio Grande Valley receives this award from the state.

Jose Pena, IT Director, stated he was a presenter at the conference on the Pharr Parks Wi-Fi and Surveillance Project and thanked the commission for the resources and accommodations so the City can be recognized with awards such as this.

Mayor Hernandez congratulated the Pharr IT Department and Communications Department staff for a job well done.

ITEM 6. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR OCTOBER 5, 2020 REGULAR CALLED MEETING (ADMINISTRATION)

- B) **CONSIDERATION AND ACTION ON STREET CLOSURE REQUEST FROM ST. JUDE CATHOLIC CHURCH FOR THEIR FEAST OF ST. JUDE THADDEUS RELIGIOUS EVENT ON WEDNESDAY, OCTOBER 28, 2020 FROM 3:00 A.M. TO 10:00 P.M. (ADMINISTRATION)**
- C) **CONSIDERATION AND ACTION AUTHORIZING REALLOCATION OF BANC OF AMERICA CAPITAL LEASE PROCEEDS OF \$600,000 TO COVER FOR BRIDGE PARKING LOT REPAIRS TO NOW COVER 2ND PHASE BRIDGE OFFICE EXPANSION (FINANCE)**
- D) **CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR FORMAL SEALED BIDS FOR THE CAPITAL LEASE FINANCING FOR FY 2020-2021 (FINANCE)**
- E) **CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:**
 - 1. **STEFANO'S PIZZA EXPRESS, 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 0.06 ACRES, 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 N-3. CUP#190536**

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 7. ORDINANCES AND RESOLUTIONS

- A) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2020-36 RELATING TO THE NUMBER OF AUTHORIZED CIVIL SERVICE POSITIONS WITHIN THE FIRE AND POLICE DEPARTMENTS. (2ND READING) (ADMINISTRATION)**

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.

- B) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE EXTENDING THE BOUNDARIES OF THE PRESENT CORPORATE LIMITS OF THE CITY OF PHARR, TEXAS AND ANNEXING NEW TERRITORY INTO THE CITY OF PHARR CONSISTING OF APPROXIMATELY 58 ACRES LYING ADJACENT TO AND BEING SITUATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF PHARR, TEXAS (1ST READING) (DEVELOPMENT SERVICES)**

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.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING CITY MANAGER TO SUBMIT AND EXECUTE A GRANT APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD (TWDB) UNDER THE FLOOD INFRASTRUCTURE FUND (FIF) (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item and briefly explained this was for the Detention Pond and Piping projects in south Pharr. He stated the City of Pharr would be applying for \$5 Million dollars and a 30% loan forgiveness from Texas Water Development Board 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-2020-56 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION UPDATING AUTHORIZED SIGNATURES FOR CITY OF PHARR CHECKS WITH LONE STAR NATIONAL BANK (FINANCE)

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

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

Resolution No. R-2020-57 is filed with the City Clerk's Office.

ITEM 8. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON COUNTER OFFER FOR THE PROPERTY LEGALLY DESCRIBED AS LOT A1, GOLAZO, REPLAT OF LOTS "A", 7, AND 8 STEEL HORSE INDUSTRIAL PARK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS (DEVELOPMENT SERVICES)

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

B) CONSIDERATION AND ACTION, IF ANY, ACCEPTING AND ADOPTING THE 2020 CITY OF PHARR DRAINAGE MASTER PLAN PREPARED BY HALFF ASSOCIATES, INC. (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated a Master Plan for Drainage must approved by the governing body as per grant requirements 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. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AWARD A PURCHASE CONTRACT FOR THE PURCHASE OF NEW FURNITURE FOR THE 1ST FLOOR RENOVATIONS AT CITY HALL FROM THE CAPROCK GROUP, LLC DBA TEXAS WILSON THROUGH SOURCEWELL #121919-STI (PURCHASING)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was for the purchase of furniture for City Hall first floor in the amount of approximately \$265,000 and recommended approval.

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

Mayor Hernandez asked if the vendor was a local. Ignacio Amezcua, Purchasing Director, stated the vendor was from San Antonio, Texas and was recommended by ERO Architects.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AWARD CONTRACT FOR THE EXTERNAL FINANCIAL AUDITOR SERVICES FOR FISCAL YEAR 2019-2020 TO OSCAR R. GONZALEZ, CPA & ASSOCIATES LLC. (FINANCE)

Ed Wylie, Interim City Manager, introduced the item. He stated the City advertised for proposals for external financial auditors and three proposals were received. He recommended Oscar R. Gonzalez CPA & Associates LLC.

Comm. Guajardo **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, AUTHORIZING CITY MANAGER TO PURCHASE THE MODULAR BUILDING AT THE BRIDGE FROM ARIES BUILDING SYSTEMS, LLC., THRU BUYBOARD TO BE USED BY THE PHARR POLICE DEPARTMENT BRIDGE UNIT (POLICE)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated the building was used during the Bridge Remodeling project and the City had already paid approximately \$8,000 to \$10,000 in rental fees. He further stated rental fees would go towards the purchase of the building 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 10. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO EXTEND THE SERVICE CONTRACT WITH DENALI WATER SOLUTIONS, LLC FOR SLUDGE MANAGEMENT SERVICES (PURCHASING)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was for a one-year extension at the same current pricing 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 TO EXTEND THE SUPPLY CONTRACT WITH L&R READY MIX, LLC FOR THE PURCHASE & DELIVERY OF CONCRETE MIX (PURCHASING)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was for a one-year extension at the same current pricing and recommended approval.

Comm. Chavez **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, ON AGREEMENT WITH PYRO SHOWS OF TEXAS FOR TWO (2) LIVE FIREWORKS DISPLAYS IN THE CITY OF PHARR FOR NEW YEAR'S DAY ON DECEMBER 31, 2020 (EVENTS CENTER)

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

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

D) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PHARR AND HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 IN ACCORDANCE WITH THE TEXAS WATER CODE SECTION 15.005 AS PART OF THE TEXAS WATER DEVELOPMENT BOARD FLOOD INFRASTRUCTURE FUND (FIF) APPLICATION (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He explained the item was part of a previously discussed agenda item regarding the application to the Texas Water Development Board for the \$5 Million dollars funds. He stated by increasing the water downstream, water would go into a water shed managed by Hidalgo County Drainage District No. 1 and recommended approval.

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

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH GDJ ENGINEERING, FROM THE LIST OF QUALIFIED FIRMS, TO PROVIDE ASSISTANCE FOR THE OWASSA RD. RIGHT-OF-WAY REIMBURSEMENT SUBMITTAL (ENGINEERING)

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

ITEM 12. 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 4:25 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 13. RECONVENE

The time being 4:39 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 8. ADMINISTRATIVE

- A) **CONSIDERATION AND ACTION, IF ANY, ON COUNTER OFFER FOR THE PROPERTY LEGALLY DESCRIBED AS LOT A1, GOLAZO, REPLAT OF LOTS "A", 7, AND 8 STEEL HORSE INDUSTRIAL PARK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS (DEVELOPMENT SERVICES)**

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

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

ITEM 10. CONTRACTS/AGREEMENTS

- E) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH GDJ ENGINEERING, FROM THE LIST OF QUALIFIED FIRMS, TO PROVIDE ASSISTANCE FOR THE OWASSA RD. RIGHT-OF-WAY REIMBURSEMENT SUBMITTAL (ENGINEERING)**

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 11. LEGAL

- A) **CONSIDERATION AND ACTION, IF ANY, ON INTERNATIONAL BANK OF COMMERCE'S (IBC) REQUEST FOR WAIVER OF PENALTIES AND INTEREST ON PROPERTY TAX ACCOUNTS (LEGAL)**

Ed Wylie, Interim City Manager, introduced the item.

At this time, Mayor Hernandez called on Kelly Salazar and Paul Villarreal, Hidalgo County Tax Assessor, for clarification on this matter.

Mrs. Salazar stated Tax Code 33.011 shall grant a waiver of penalty and interest and the facts in this particular case did not fall within the mandatory language or the discretionary language.

Paul Villarreal, Hidalgo County Tax Assessor, stated he was in favor of what Mrs. Salazar stated and all proper procedures were handled correctly by his office.

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

ITEM 14. ADJOURNMENT

There being no other business to come before the board, Comm. Medina **moved** to adjourn. Comm. Guajardo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:43 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR**

ON THIS THE 19th DAY OF OCTOBER 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: November 2, 2020