MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, NOVEMBER 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, November 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, 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 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. Oscar De Leon, Asst. 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 Ignacio Amezcua, Purchasing Director Daniel 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

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

Ed Wylie, Interim City Manager, led in the pledge of allegiance and Pastor Magallan said the invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION "RGVMPO" DAY

Andrew Canon, Executive Director, stated this was a reflection on the Mayor's leadership for the merger of three Rio Grande Valley Metropolitan Organizations. Mr. Canon stated Mayor Hernandez had a regional perspective of ongoing projects and it had been an effective and successful process with all regional projects. He further thanked the City Commission for recognition.

Mayor Pro Tem Carrillo read proclamation proclaiming November 16, 2020 as RGVMPO Day and presented proclamation to Andrew Canon and Mayor Hernandez

Mayor Hernandez thanked Mr. Canon and his staff for their hard work and dedication in assuring the Rio Grande Valley's needs were met

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.

ITEM 5. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR NOVEMBER 2020

Ed Wylie, Interim City Manager, introduced the item. He reported the City of Pharr had an increase of 21.55% for the month compared to last year and stated the City of Pharr was 2nd place in the valley in sales tax.

Ed Wylie, Interim City Manager, reported the Lighting of the Christmas Tree event and the Ribbon Cutting of the Downtown Park would be held on Monday, November 30, 2020 at 6:00 p.m. He further stated those attending would be required to wear face masks and social distance Lastly, Mr. Wylie stated the Food Truck area would kick off as well.

Ed Wylie, Interim City Manager, briefly reported reconstruction of Veterans Road between Rancho Blanco and Moore Road had begun and Public Works crew would continue working south.

Mayor Hernandez asked City Engineer if there were any future planning details for reconstruction of Veterans Road.

Omar Anzaldua, City Engineer, reported Veterans Road would soon be widened to a five-lane road to include two (2) lanes in each direction with a center turning lane. He further stated there would be a 10' Hike & Bike Trail adjacent to the road leading towards Santa Ana Wildlife Refuge location.

ITEM 6. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR NOVEMBER 2, 2020 REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR CITY WIDE MAJOR PLUMBING ON-CALL SERVICES (PARKS)

C) CONSIDERATION AND ACTION ON MEMORANDUM OF UNDERSTANDING BETWEEN VALLEY VIEW ISD AND CITY OF PHARR REGARDING CONFIDENTIAL STUDENT INFORMATION (ADMINISTRATION)

D) CONSIDERATION AND ACTION ON RESOLUTION ENTERING INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CLOSURE OF U.S. 281 (CAGE BLVD.) FROM OLD BUSINESS 83 TO KELLY AVE. FOR THE INSTALLATION OF VARIOUS DECORATIVE TRUSSES IN FRONT OF CITY HALL BEGINNING THE WEEK OF NOVEMBER 23, 2020 (ENGINEERING)

E) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. **QUINTA REAL EVENTS, LLC., REQUESTED A 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 LOTS 1 AND 2, SAVE AND EXCEPT THE S32' OUT OF LOT 2, SING'S SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 2620 SOUTH GARDENIA STREET. CUP#201042**

2. **GABRIELA'S HEAVENLY WINGS XXIII, LLC, D/B/A WINGSTOP RESTAURANT, 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 0.046 OF AN ACRE, MORE OR LESS, OUT OF LOT 1, SPAMER BUSINESS PARK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 8001 SOUTH JACKSON ROAD, SUITE 6. CUP#170948**

3. **TOPGOLF USA PHARR, 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 GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 15.347 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 1, TOP GOLF PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1900 BLOCK OF WEST INTERSTATE HIGHWAY 2. CUP#170846**

4. **EDCON, REPRESENTING MIRIAM BERENICE HERNANDEZ, OWNER, REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING THE E330'-W660'-N660' OUT OF LOT 326, 5.00 AC NET, KELLY PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 600 WEST HABITAT CIRCLE SOUTH. COZ#201043**

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

Comm. Carrillo **moved** to approve as recommended. Comm. Guajardo seconded the motion and when put to a vote, it carried by a majority vote of six (6) ayes and one (1) abstention. Comm. Chavez abstained from voting on item 6.E.4.

Ordinance No. O-2020-39 and Resolution No. R-2020-63 are filed with the City Clerk's Office.

REGULAR AGENDA - OPEN SESSION

ITEM 7. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE DIRECTING THE CITY MANAGER TO VACATE, ABANDON, AND CLOSE A PORTION OF STREET RIGHT-OF-WAY, BEING A PORTION OF E. SHARM DR., LOCATED BETWEEN LOTS 1 AND 2, TIP-O-TEXAS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS *(2ND READING)* (DEVELOPMENT SERVICES)

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

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

Ordinance No. O-2020-40 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING O-2020-37 REGULATING ELECTIONEERING IN PUBLIC OR PRIVATE PROPERTY, CITY OWNED OR CITY CONTROLLED PROPERTY USED AS POLLING PLACE; PROVIDING FOR COMPLIANCE; SETTING A FINE FOR VIOLATION THEREOF; PROVIDING SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE *(1ST READING)* (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated the s amended ordinance would define designated parking areas and electioneering areas and would address some issues with intersections and driveway blockage.

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

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ADOPTING OF THE 2020-2021 STRATEGIC PLAN FOR THE GREATER PHARR CHAMBER OF COMMERCE (CHAMBER)

Ed Wylie, Interim City Manager, introduced the item.

Lisa Salinas, President for Pharr Camber and Mario Lizcano, Chairman for Pharr Chamber, presented the Strategic Plan for the Greater Pharr Chamber of Commerce. Mrs. Salinas stated the Pharr Chamber was available to help the business community by offering 180 days of free membership, which would provide resources, educate the businesses on how to engage in social media and online services.

Mario Lizcano, Chairman, thanked the City Commission for the opportunity and stated the Pharr Chamber understood the small businesses being impacted by the pandemic. He further stated they would continue to empower these businesses and continue to provide them with marketing strategies.

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

Resolution No. R-2020-64 is filed with the City Clerk's Office.

ITEM 8. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON DECLARATION OF CERTAIN ITEMS AND EQUIPMENT AS SURPLUS AND AUTHORIZATION FOR THE CITY MANAGER TO DISPOSE OF VIA A PUBLIC AUCTION (POLICE)

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

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

ITEM 9. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF THE BORDER RESPONSE TRANSPORT VAN AS PART OF THE AWARDED 2020-STONEGARDEN GRANT #3173105 FROM SUMMIT BODYWORKS IN FT. LUPTON, COLORADO UNDER GSA #47QMCA20D000Y (POLICE)

Ed Wylie, Interim City Manager, introduced the item and stated this purchase was part of the 2020 Stone Garden grant. He stated the amount of the purchase was $80,184 and the van was customized to meet the needs of the Pharr Police Swat Team. He further stated this was a sole source vendor and recommended approval.

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

Mayor Hernandez asked about the purchase of semi vehicle. Ed Wylie, Interim City Manager, stated the City needed to clarify use for seized assets funds to move forward with the purchase.

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

ITEM 10. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION , IF ANY, ON LEASE AGREEMENT BETWEEN SOUTHWEST VALLEY CONSTRUCTORS CO. AND THE CITY OF PHARR. (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item and stated this property was underneath the Pharr International Bridge and it was being used for the Border Wall. He stated thec company needed access to the property 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 THE CITY MANAGER TO AWARD CONTRACT FOR THE CITY OF PHARR INTERNATIONAL BRIDGE FACILITY EXPANSION AND RENOVATIONS PROJECT PH II (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated two (2) bids were received by the City of Pharr and recommended awarding bid to International Consulting Engineers (ICE) in the amount of $598,000.

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

Mayor Hernandez clarified the project would meet all city specifications because of the difference in price between the two bids. Ed Wylie, Interim City Manager, stated all specifications were met and stated he believed the high bidder might have bid incorrectly.

There being no further discussion, the motion was put to a vote and it carried by a majority vote of six (6) ayes and one (1) abstention. Comm. Chavez abstained from voting.

At this time, Ed Wylie, Interim City Manager, stated they would deviate from the agenda and go into closed session. There was no objection.

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 4:23 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 4:49 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 11. LEGAL

A) CONSULTATION AND ACTION, IF ANY, WITH CITY ATTORNEY REGARDING INTERLOCAL AGREEMENT BETWEEN THE CITY OF PHARR AND PHARR-SAN JUAN-ALAMO ISD FOR NATATORIUM (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. Chavez 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. Carrillo **moved** to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:50 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 16th DAY OF NOVEMBER 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: December 7, 2020