

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, MARCH 15, 2021
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, March 15, 2021 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Ramiro Caballero
Mayor Pro Tem Roberto "Bobby" Carrillo
Comm. Daniel Chavez
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Edward Wylie, Interim 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.
Ruben Rosalez, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Cynthia Garza, CDBG/External Affairs Dir.
Adolfo Garcia, Library Director
Rick Castro, I.T. Asst. Director
Luis Bazan, Bridge Director
Victor Perez, PEDC Director
Ignacio Amezcua, Purchasing Director
Daniel Ramirez, Emergency Comm. Dir.
Kenneth Ennis, Interim Comm. Dir.
Marcela Beas, Interim Chamber President
Michelle Lopez, Chief Comm. Officer

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. Comm. Chavez was not present at the time of roll call but arrived at 4:15 p.m.

B) PLEDGE OF ALLEGIANCE/INVOCATION

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

ITEM 2. PUBLIC TESTIMONY

Blake J. Box registered for public testimony but was not present. There being no comments from the public, public testimony was closed.

ITEM 3. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Ed Wylie, Interim City Manager, opened the public hearing.

Robert F. Evans spoke on item 5.J.1. He stated he represented the Kelly Evans family who owned the land to the west and north and stated the family was in favor of the change of zone.

There being no further comments from the public, the public hearing was closed.

ITEM 4. CITY MANAGER'S REPORTS

Ed Wylie, Interim City Manager, called upon Police Chief, Andy Harvey.

Andy Harvey Jr., Police Chief, stated Police Officers Jose Roman and Humberto Salinas went above and beyond the call of duty. He stated the officers assisted a citizen with a flat tire and thanked them for a job well done.

Mayor Hernandez expressed his gratitude towards the officers and recognized the exceptional police officers the City of Pharr Police Department had.

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR MARCH 2021

Ed Wylie, Interim City Manager, introduced the item. He reported the City of Pharr had an increase of 16.73% for the month compared to last year and stated the City of Pharr had an overall 13.79% true growth for the entire year.

Ed Wylie, Interim City Manager, reported the City of Pharr would be having the Hub Market Days on Saturday, March 20, 2021 from 5:00 p.m. to 9:00 p.m. at Downtown Hub Park.

Ed Wylie, Interim City Manager, further reported the month of March was the "Great American Cleanup" month. He briefly stated the City of Pharr would provide free cleaning supplies to groups of 10 or less who participate in their own neighborhood cleanup. He sated supplies can be picked up at the Public Works Department.

Ed Wylie, Interim City Manager, reported the Governor has lifted the restrictions and all City parks would be reopened to the public He further stated the Pharr Aquatic Center was anticipated to open to the public in late May or early June.

Ed Wylie, Interim City Manager, also reported regular brush collection was still in service. He stated residents would get their brush collected once a month and a map for brush pick-up was available on the City's website.

Ed Wylie, Interim City Manager, reported the twenty-three (23) acres were purchased on the south side for a detention pond and dog park and the City was currently in the design phase. Mayor Hernandez stated this project was part of the Drainage Plan and the City of Pharr had partnered with Pharr-San Juan- Alamo School District High Schools for architectural designs for this project.

ITEM 5. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR MARCH 1, 2021 REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS FOR THE PHARR LAND PORT OF ENTRY OPERATIONS MASTER PLANNING (ENGINEERING)

- C) **CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR THE PSJA TRI-CITY PEDESTRIAN SAFETY IMPROVEMENTS PROJECT PHASE I (CSJ: 0921-02-391) (ENGINEERING)**
- D) **CONSIDERATION AND ACTION ON RENEWAL OF VENDOR AGREEMENT WITH COUNTY OF HIDALGO COMMUNITY SERVICE AGENCY AND CITY OF PHARR FOR BRAVO ZULU GRANT TO ASSIST VETERANS IN NEED WITH THEIR WATER BILL (FINANCE)**
- E) **CONSIDERATION AND ACTION ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE LOCAL BORDER STAR PROGRAM (LBSP 22) PROJECT (POLICE)**
- F) **CONSIDERATION AND ACTION ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR DOMESTIC VIOLENCE COORDINATOR PROJECT (POLICE)**
- G) **CONSIDERATION AND ACTION ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR CRIME VICTIM'S LIAISON PROJECT (POLICE)**
- H) **CONSIDERATION AND ACTION ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR HUMAN TRAFFICKING LIAISON PROJECT (POLICE)**
- I) **CONSIDERATION AND ACTION ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR THE FIRST RESPONDER MENTAL HEALTH & WELLNESS PROGRAM (POLICE)**
- J) **CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:**
 - 1. **OSCAR GARZA, REPRESENTING QUEENSTOWN PARK L.L.C., OWNER, REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 26.375-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 352, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 8200-8400 BLOCK OF SOUTH VETERANS BOULEVARD. COZ#210110**
 - 2. **TGO DAHLIA 21, L.P. AN AFFILIATE OF TEXAS GREY OAKS, L.L.C., REPRESENTING ESE PROPERTIES, LTD, OWNERS, REQUESTED A CHANGE OF ZONE FROM OFFICE PROFESSIONAL DISTRICT (O-P) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 4.77-ACRE TRACT OF LAND, MORE OR LESS, (INCLUDES ACCESS EASEMENT), OUT OF LOT 187, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 400-600 BLOCK OF WEST SAM HOUSTON AVENUE. COZ#210212**
 - 3. **MARTA'S BAR, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS 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 ALL OF LOTS 13-16, AND THE W10' OUT OF LOT 12, BLOCK 32, PHARR ORIGINAL TOWNSITE, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 410 WEST STATE STREET, SUITE D. CUP#160737**

- 4. SHOTS MAIN EVENT, LLC, D/B/A MAIN EVENT ENTERTAINMENT, 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 1.34 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 C. CUP#140101
- 5. CADENA AND SONS, L.L.C. D/B/A TEJAS RESTAURANT AND SPORTS BAR, 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 LOT 11, MACO INDUSTRIAL PARK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1308 MACO DRIVE. CUP#161261

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

Mayor Hernandez moved to approve consent agenda items to include approval of item J-1. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Ordinance Nos. O-2021-11 and O-2021-12 and Resolution Nos. R-2021-12, R-2021-13, R-2021-14, R-2021-15, and R-2021-16 are filed with the City Clerk's Office.

At this time, Mayor Hernandez stated they would deviate and go into closed session. There was no objection.

ITEM 11. CLOSED SESSION

The time being 4:11 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 4:41 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 ORDINANCE AMENDING ORDINANCE NO. O-2021-04 CALLING THE CITY OF PHARR GENERAL MUNICIPAL ELECTION FOR MAY 1, 2021, FOR ELECTION OF CITY COMMISSIONERS PLACES 2, 3, AND 4 AND DESIGNATING ELECTION PRECINCTS AND POLLING PLACES. (CONSIDERACIÓN Y ACCIÓN, ENMENDANDO ORDENANZA NO. O-2021-04 PARA ORDENAR LA ELECCIÓN MUNICIPAL GENERAL DE LA CIUDAD DE PHARR EL 1 DE MAYO DE 2021, PARA ELEGIR COMISIONADOS LUGARES 2, 3, Y 4, Y LA DESIGNACIÓN DE DISTRITOS ELECTORALES Y CENTROS DE VOTACIÓN) (ADOPTION ON 1ST READING) **(TABLED)** (ADMINISTRATION)

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

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

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

Ordinance No. O-2021-13 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE APPOINTING JUDGES, ALTERNATE JUDGES, AND EARLY VOTING BALLOT BOARD JUDGE FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON SATURDAY, MAY 1, 2021 (ADOPTION ON 1ST READING) (ADMINISTRATION)

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

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

Ordinance No. O-2021-14 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-82-13 APPENDIX A, ZONING ORDINANCE (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.

D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2020-38 RELATING TO THE NUMBER OF AUTHORIZED CIVIL SERVICE POSITIONS WITHIN THE FIRE AND POLICE DEPARTMENTS (2ND READING) (HR)

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

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

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION EXECUTING AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR I ROAD, FROM RANCHO BLANCO ROAD TO MILITARY HIGHWAY (US 281), CSJ 0921-02-363 (ENGINEERING)

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

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

Resolution No. R-2021-17 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING AFFORDABLE HOMES OF SOUTH TEXAS INC. TO ADMINISTER A CARES ACT RENTAL AND MORTGAGE ASSISTANCE PROGRAM, FOR THE CITY OF PHARR (GMCD)

Ed Wylie, Interim City Manager, introduced the item and stated the City of Pharr had approximately \$330,000 through Community Development Block Grant (CDBG) and CARES Act funding for mortgage assistance and rental assistance. He stated Affordable Homes of South Texas Inc. would administer the programs and 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-2021-18 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 2 IN THE AMOUNT OF \$114,00.00 OF THE ANNUAL SUPPLY CONTRACT FOR THE CITY WIDE DITCH EXCAVATION HAULING SERVICES PROJECT WITH SAENZ BROTHERS CONSTRUCTION, LLC (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item. He stated the correct amount of the change order was \$114,000 and this was for realignment of piping to the various ditches. He further stated staff recommended approval.

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

B) SUBMISSION OF 2020 RACIAL PROFILING REPORT (POLICE)

Ed Wylie, Interim City Manager, introduced the item.

Michael Mendoza, Police Deputy Chief, presented the 2020 Racial Profiling Report.

C) CONSIDERATION AND ACTION, IF ANY, ACCEPTING THE CITY OF PHARR AUDITED FINANCIAL STATEMENTS FOR FY 2019-2020 (FINANCE)

Ed Wylie, Interim City Manager, introduced the item. He explained the audited financial statements for fiscal year were required to be completed every year no later than ninety (90) days after end of fiscal year. He stated March 31, 2021 was the deadline and the auditor's opinion on financial statements was a clean opinion. He further stated no material weaknesses were identified in accordance with generally accepted accounting principles as of September 30, 2020 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 8. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF AUDIO AND VIDEO EQUIPMENT FROM AISYS CONSULTING, LLC OUT OF MCALLEN, TX USING BUYBOARD # 573-18 AND 579-19 FOR A TOTAL PRICE OF \$187,357.06 FOR THE NORTHSIDE WELLNESS & INNOVATION CENTER (IT)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was to cover all audio and video requirements and recommended approval.

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

ITEM 9. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT BETWEEN CITY OF PHARR, THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL AND THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION REGARDING IMPLEMENTING OF THE RGV BICYCLE PEDESTRIAN COUNTER DATA PROGRAM (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was to gather information for the Hike and Bike Trail and recommended approval.

Comm. Guajardo 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 RENEWAL OF GOLF CART LEASE AGREEMENT WITH YAMAHA MOTOR FINANCE CORPORATION FOR THE TIERRA DEL SOL MUNICIPAL GOLF COURSE (PARKS)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated every three (3) years the City renewed lease for golf carts due to wear and tear and recommended approval.

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, ON CONTRACT WITH PYRO SHOWS OF TEXAS FOR LIVE FIREWORKS DISPLAY FOR CITY OF PHARR INDEPENDENCE DAY CELEBRATION ON SUNDAY, JULY 4, 2021 WITH A RAIN-DATE OF MONDAY, JULY 5, 2021 (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated the event would take place at two sites and recommended approval.

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

ITEM 10. LEGAL

A) CONSULTATION WITH THE BOARD OF COMMISSIONERS ON OPERATION TAKEOVER (ADMINISTRATION)

Ed Wylie, Interim City Manager, stated no action was necessary.

ITEM 13. ADJOURNMENT

There being no other business to come before the board, Comm. Chavez moved to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:52 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

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

ON THIS THE 15th DAY OF MARCH 2021 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: April 26, 2021