

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, APRIL 26, 2021
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, April 26, 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
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.
Ruben Rosales, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Cynthia Garza, CDBG/External Affairs Dir.
Adolfo Garcia, Library Director
Jose Pena, I.T. 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.

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 APRIL 27, 2021 AS LADY RAIDERS SOFTBALL TEAM DAY

Ed Wylie, Interim City Manager, introduced the item.

Mayor Hernandez read proclamation proclaiming April 27, 2021 as Lady Raiders Softball Team Day.

Stephanie Lugo-Peralta, Head Coach, along with Assistant Coaches and team members were present to accept proclamation. Coach Lugo-Peralta thanked the City Commission and stated they were all very excited for the recognition.

Angel Lozano, Team Captain, also thanked the City Commission and stated she was very proud of the entire team coming together for a great team bonding experience.

Mayor Hernandez, Comm. Carrillo and Comm. Flores expressed their appreciation to the team for their future endeavors and congratulated them on their talent.

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 APRIL 2021 (FINANCE)

Ed Wylie, Interim City Manager, introduced the item. He reported the City of Pharr had an increase of 11.79% for the month compared to last year and an overall 13.34% true positive growth for the entire year.

B) SUBMISSION OF PROPERTY TAX COLLECTION REPORT FOR MARCH 2021 (FINANCE)

Ed Wylie, Interim City Manager, introduced the item. He reported the City of Pharr had an increase of 1.73% in tax collection and an increase of 3.5% in delinquent collections for the month compared to last year.

C) SUBMISSION OF 2ND QUARTER 2020-2021 CITY OF PHARR INVESTMENT REPORT (FINANCE)

Ed Wylie, Interim City Manager, introduced the item. He stated the City was on track with all accounts and Karla Moya, Finance Director, was available for any questions.

ITEM 6. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR MINUTES FOR MARCH 15, 2021 REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE CREATING AN EMERGENCY MEDICAL SERVICES DEPARTMENT WITHIN THE CITY OF PHARR (2ND & FINAL READING) (ADMINISTRATION)

MINUTES: REGULAR CALLED MEETING
April 26, 2021

- C) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT EXTENSION BETWEEN CITY OF PHARR AND HIDALGO COUNTY HEAD START PROGRAM FOR CENTER LOCATED AT 415 E. CLARK (PHARR HEAD START CENTER) (ADMINISTRATION)**
- D) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT EXTENSION BETWEEN CITY OF PHARR AND HIDALGO COUNTY HEAD START PROGRAM FOR CENTER LOCATED AT 714 ZAPATA STREET (LAS MILPAS I HEAD START CENTER) (ADMINISTRATION)**
- E) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:**
 - 1. SPOOR ENGINEERING CONSULTANTS, INC. REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO RESIDENTIAL MULTI-FAMILY HIGH-DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 6.93-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 107, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 700-800 BLOCK OF WEST NOLANA LOOP. COZ#210316**
 - 2. AEC ENGINEERING, LLC. 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 A 0.25-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 8, BLOCK 12, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 7500-7600 BLOCK OF SOUTH JACKSON ROAD. COZ#210317**
 - 3. RED TAPE II, INC., D/B/A STILETTOS GENTLEMEN'S CLUB REQUESTED RENEWAL OF THE SEXUALLY ORIENTED BUSINESS LICENSE IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS ALL OF LOT 2, ALBRAD SUBDIVISION UNIT #3, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1050 NORTH SUGAR ROAD. SOB#001254**
 - 4. THE FRATERNAL ORDER OF EAGLES OF PHARR, TEXAS, 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 LOT 3, BLOCK 58, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 305 SOUTH CAGE BOULEVARD. CUP#060312**
 - 5. RAUL FONG, D/B/A D'S PARADISE LOUNGE, 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 LOT 14, BLOCK 1, J. T. DOSTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 107 EAST PARK AVENUE. CUP#040213**
 - 6. RAUL FONG, D/B/A JUNCTION CAFE, 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 LOT 1 AND THE S7' OF LOT 2, BLOCK 1, J.T. DOSTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 11 SOUTH CAGE BOULEVARD. CUP#911291**
 - 7. MR. RAMIRO ARMENDARIZ, REPRESENTING RED TAPE VI D/B/A STILETTOS CABARET, 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 LOT 2, ALBRAD SUBDIVISION UNIT #3, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1050 NORTH SUGAR ROAD. CUP#120418**

PLATS:

- 1. M GARCIA ENGINEERING, LLC., REPRESENTING NATASHA DEL BARRIO, CHIEF EXECUTIVE OFFICER FOR MIDNIGHT RIVER, LLC, OWNERS, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED MASTER PLAT OF BERT OGDEN PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 28.45 ACRE TRACT OF LAND OUT OF LOT 76, KELLY-PHARR SUBDIVISION, PHARR,**

**HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 5600-5700
BLOCK OF NORTH IH 69C. SUB#200516**

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 unanimously.

Ordinance Nos. O-2021-19, O-2021-20 and O-2021-21 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 4:12 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 4:56 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 7. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2020-35 FOR BUDGET AMENDMENT TO THE FISCAL YEAR 2020-2021 BUDGET (ADOPTION ON 1ST READING) (FINANCE)

Ed Wylie, Interim City Manager, introduced the item. He stated the amendment included the Emergency Medical Services (EMS) Department for the remainder of the year. He further stated \$6.2 million and \$1 million was from CARES Act funds for bankruptcy court and remainder would be offset from revenues. He further recommended approval.

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

Ordinance No. O-2021-22 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON AMENDMENT TO ORDINANCE O-2021-18 REGULATING AMBULANCES SERVICE FOR THE CITY OF PHARR (ADOPTION ON 1ST READING) (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated the amendment was to bundle packages for services and recommended approval.

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

Ordinance No. O-2021-23 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION REGARDING AEP TEXAS, INC. DISTRIBUTION COST RECOVER FACTORS (DCRF) APPLICATION TO INCREASE DISTRIBUTION RATES (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and stated the cost recovery from AEP was to increase cost to residential customers by \$2.60. He further recommended approval of Resolution to deny increase of distribution rates.

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

Resolution No. R-2021-22 is filed with the City Clerk's Office.

- D) CONSIDERATION AND ACTION, IF ANY, ADOPTING RESOLUTION TO ACCEPT PETITION FOR VOLUNTARY ANNEXATION, SETTING DATE, TIME AND PLACE FOR PUBLIC HEARING, AUTHORIZING AND DIRECTING PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING, AND DIRECTING THE CITY MANAGER TO PREPARE SERVICE PLAN FOR APPROXIMATELY 64 ACRES OF LAND, MORE OR LESS, LOCATED IN THE CITY OF PHARR'S ETJ, HIDALGO COUNTY, TEXAS (DEVELOPMENT SERVICES)**

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was for the remainder of the portion that needs to be annexed into the city for industrial development and recommended approval.

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

Resolution No. R-2021-23 is filed with the City Clerk's Office.

- E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION RATIFYING PRIOR PURCHASES AND AUTHORIZING THE PURCHASE OF AMBULANCE RELATED EQUIPMENT, OPERATIONS EQUIPMENT, ALL RELATED ITEMS, AND TO CONTRACT FOR BILLING SERVICES AND DECLARING AN EMERGENCY (ADMINISTRATION)**

Ed Wylie, Interim City Manager, introduced the item. He briefly stated time was necessary in order to meet bankruptcy court setting deadlines and recommended approval.

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

Resolution No. R-2021-24 is filed with the City Clerk's Office.

ITEM 8. ADMINISTRATIVE

- A) CONSIDERATION AND ACTION, IF ANY, AMENDING THE PROFESSIONAL ENGINEERING ROTATION LIST FOR STRUCTURAL ENGINEERING PROJECTS (ENGINEERING)**

Ed Wylie, Interim City Manager, introduced the item and recommended adding Structural Engineers Associates (SEA) to the rotating list.

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, AUTHORIZING CITY MANAGER TO PURCHASE ONE (1) CURRENT MODEL PETERBILT/PETERSEN GRAPPLE LOADER FROM RUSH TRUCK CENTER OUT OF PHARR, TEXAS IN THE AMOUNT OF \$187,511.79 UTILIZING BUYBOARD CONTRACT #601-19 (PUBLIC WORKS)**

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was budgeted and recommended approval.

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

Mayor Hernandez asked if this service was done by the City of Pharr. Ed Wylie, Interim City Manager, stated some brush pick-up and illegal dumping was done by the City and the brush truck would be utilized for this purpose.

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 SELECTING VARIOUS FIRMS TO BE PART OF A LIST OF QUALIFIED FIRMS FOR DEBRIS MONITORING AND RECOVERY PLANNING SERVICES **TABLED (PUBLIC WORKS)**

Ed Wylie, Interim City Manager, introduced the item.

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

Ed Wylie, Interim City Manager, stated the City received (3) bids for the debris monitoring and recovery planning services. However, he recommended not to award contract at this time but create a rotation list instead.

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

Mayor Hernandez asked for clarification on the type of services to be provided. Ed Wylie, Interim City Manager, explained this service contract would only be utilized during a catastrophic incident such as a hurricane and the City would be able to use these vendors to monitor debris removal and brush pick up.

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

B) CONSIDERATION AND ACTION, IF ANY, ON AUTHORIZING CITY MANAGER TO AMEND THE CONSTRUCTION MANAGEMENT AGREEMENT FOR FY 15-16 BRIDGE PROJECTS AND NEGOTIATE AN ADDITIONAL FEE FOR THE NEW TWIN SPAN INTERNATIONAL BRIDGE (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and recommended to amend construction manager contract to include second span of bridge project.

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, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO SEVERAL INTER-LOCAL AGREEMENTS TO PROVIDE AMBULANCE SERVICES TO OUTSIDE AGENCIES (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and explained that part of the transition from a private ambulance to a city-owned ambulance was that the City could not honor the current contracts in place. Therefore, the City would need to obtain Inter-local agreements with outside agencies and recommended approval.

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

D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH TRANS AERO HELICOPTER SERVICE (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item. He briefly stated this was for helicopter services and contract would be on a month-to-month basis.

Comm. Guajardo **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. Guajardo **moved** to adjourn. Comm. Carrillo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:03 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 26th DAY OF APRIL 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:



for HILDA PEDRAZA, CITY CLERK

APPROVED: June 7, 2021