

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

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, August 2, 2021 and following is the record of attendance.

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

BOARD OF COMMISSIONERS ABSENT: Comm. Ramiro Caballero
Comm. Ricardo Medina

STAFF PRESENT: Edward Wylie, Interim City Manager
Imelda Barrera, Assistant City Clerk
Omar Anzaldua, City Engineer
Karla Saavedra, Finance Director
Veronica Ramirez, HR Director
Juan Villescas, Municipal Judge
Andrew Harvey, Police Chief
Pilar Rodriguez, Fire Chief
Roland Gomez, Interim Dev. Svcs. Director
Olga Garza, Public Works Director
Ruben Rosales, Public Utilities Director
Isaac Escobedo, Asst. Parks & Rec. Director
Cynthia Garza, CDBG/External Affairs Dir.
Jose Pena, I.T. Director
Luis Bazan, Bridge Director
Ignacio Amezcua, Purchasing Director
Ben Martinez, Asst. E.M.S. Chief
Kenneth Ennis, Public Safety Comm. Dir.
Marcela Beas, Chamber President
Melanie Cano, O.S.E. Director

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

Luis Bazan, Bridge Director, led 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

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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) CITY ENGINEER'S REPORT

Ed Wylie, Interim City Manager, introduced the item and stated all projects were on time and on budget. He further stated City Engineer was available and questions could be entertained at this time.

Ed Wylie, Interim City Manager, recognized Public Utilities Director Ruben Rosales and staff for receiving the Water Systems Helping Water Systems Award for the City of Pharr Public Utilities Department from Texas Commission of Environmental Quality. Mr. Wylie stated there were four categories: Mentoring, Emergency Response, Operations Training & Equipment and Consolidation of Mergers. He further stated the City had met all four categories and the Public Utilities Department was being recognized for the efforts during the freeze in February for assisting neighboring cities in providing laboratory services.

Ruben Rosales, Public Utilities Director, recognized his staff for their hard work and efforts in assisting other cities stay in compliance.

Mayor Hernandez and City Commissioners presented award to Public Utilities staff and thanked them for their hard work.

ITEM 5. CONSENT AGENDA

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING O-2016-34 AND ADOPTING THE DEVELOPMENT AND MAINTENANCE CODES 2017 AND 2018. (3RD AND FINAL READING) (DEVELOPMENT SERVICES)

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2021-17 RELATING TO THE NUMBER OF AUTHORIZED CIVIL SERVICE POSITIONS WITHIN THE FIRE AND POLICE DEPARTMENTS. (2ND READING) (HR)

C) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:

1. GILBERTO ESPINO HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR 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 0.5 ACRES, OUT OF THE SOUTH 5 ACRES, MORE OR LESS, OUT OF LOT 236 KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 2816 S. CAGE BLVD. COZ#210637 (DEVELOPMENT SERVICES)
2. GILBERTO ESPINO HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 4.19 ACRES, OUT OF THE SOUTH 5 ACRES, MORE OR LESS, OUT OF LOT 236 KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 2816 S. CAGE BLVD. COZ#210638 (DEVELOPMENT SERVICES)
3. RUDY'S TEXAS BAR-B-Q, L.L.C./CARLOS TORRES, D/B/A RUDY'S COUNTRY STORE BAR-B-Q, IS REQUESTING 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 LOT 1, LOS HOTELES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 209 WEST NOLANA LOOP. CUP#040644 (DEVELOPMENT SERVICES)

4. CARLOS R. ELIZONDO, D/B/A SEPI'S, IS REQUESTING 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 (DEVELOPMENT SERVICES)

PLATS:

1. BARRERA INFRASTRUCTURE GROUP, INC., REPRESENTING JACINTO ANDRES GARCIA, OWNER, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED ANDRES GARCIA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.00 ACRE GROSS TRACT OF LAND LYING AND BEING THE EAST PORTION OF LOT 5, BLOCK 11, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1200 BLOCK OF WEST GREG DRIVE. SUB#201032 (DEVELOPMENT SERVICES)
2. MELDEN & HUNT INC., REPRESENTING HUMBERTO TIJERINA AND EVANAGELINA A. TIJERINA, TRUSTEES, ARE REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MASTER PLAN CIRCLE K PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 6.998 ACRES SITUATED IN THE CITY OF PHARR, CONSISTING OF 6.498 ACRES OUT OF LOT 220 KELLY-PHARR SUBDIVISION AND 0.500 OF ONE ACRE BEING ALL OF LOT 1, ORDONEZ SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1800 BLOCK OF SOUTH. SUB#210513 (DEVELOPMENT SERVICES)
3. MELDEN & HUNT INC., REPRESENTING ROSA MARIA A. VIGON, MANAGER FOR F.H. INVESTMENTS, LTD, A TEXAS LIMITED PARTNERSHIP, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MASTER PLAN TRACTOR SUPPLY SOUTH PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 13.355 ACRES OUT OF LOT 317 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 6800 BLOCK OF S. CAGE BLVD. SUB#210617 (DEVELOPMENT SERVICES)

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

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

Ordinance No.'s O-2021-41, O-2021-42 and O-2021-43 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 10. CLOSED SESSION

The time being 4:09 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 4:16 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

- A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ADOPTING A FEE SCHEDULE FOR MUNICIPAL FIBER OPTIC SERVICES. (3RD AND FINAL READING) (DEVELOPMENT SERVICES)

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.

Ordinance No. O-2021-44 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN 2021. (GMCD)

Ed Wylie, Interim City Manager, introduced the item and stated he would like to move \$17,500 from Affordable Homes of South Texas to Code Enforcement, to total \$50,000. He further recommended approval.

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

Resolution No. R-2021-46 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO APPLY FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG). (POLICE)

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.

Resolution No. R-2021-47 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING SEVEN (7) MEMBERS TO THE PHARR PUBLIC FACILITIES CORPORATION NO. 1 BOARD. (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and stated members for this board were currently expired and were the previous Commission. He further recommended current Commission for members to this board.

Comm. Carrillo moved to appoint Ambrosio Hernandez, Eleazar Guajardo, Roberto "Bobby" Carrillo, Ramiro Caballero, Daniel Chavez, Ricardo Medina and Itza Flores as members to Pharr Public Facilities Corporation No. 1 Board. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2021-48 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING SEVEN (7) MEMBERS TO THE PHARR PUBLIC FACILITIES CORPORATION NO. 3 BOARD. (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and stated members for this board were currently expired and were the previous Commission. He further recommended current Commission for members to this board.

Comm. Carrillo moved to appoint Ambrosio Hernandez, Eleazar Guajardo, Roberto "Bobby" Carrillo, Ramiro Caballero, Daniel Chavez, Ricardo Medina and Itza Flores as members to Pharr Public Facilities Corporation No. 3 Board. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2021-49 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

- A) **CONSIDERATION AND ACTION, IF ANY, TO APPROVE THE SELECTION COMMITTEE'S RANKING OF REQUEST FOR PROPOSALS (RFP), PHARR COMPREHENSIVE PEDESTRIAN SAFETY & WELLNESS PLAN, AND AUTHORIZE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH TOP-RANKED RESPONDENT, HALFF ASSOCIATES, INC. (ENGINEERING)**

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

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

ITEM 8. PURCHASING

- A) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH GRAYBAR FROM FORT WORTH, TX ON THE PURCHASE OF THE MATERIAL FOR THE FIBER OPTIC NETWORK - CORE BUILD PHASE II PROJECT IN THE AMOUNT OF \$556,032.11 THROUGH OMNIA PARTNERS PURCHASING COOPERATIVE CONTRACT NUMBER EV2370 (PURCHASING)**

Ed Wylie, Interim City Manager, introduced the item and stated this was in support of the broadband network project to every home. He stated this was for the fiber optic and recommended approval.

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

- B) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH STX UNDERGROUND LLC FROM BROWNSVILLE, TX FOR THE LABOR OF THE FIBER OPTIC NETWORK - CORE BUILD PHASE II PROJECT IN THE AMOUNT OF \$1,019,593.00 THROUGH THE INTERLOCAL PURCHASING SYSTEM (TIPS) PURCHASING COOPERATIVE CONTRACT NUMBER 200201-3132 (PURCHASING)**

Ed Wylie, Interim City Manager, introduced the item and stated this was in support of the broadband network project. He stated this was for the labor of project to install the fiber and recommended approval.

Comm. Guajardo 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 MEMORANDUM OF UNDERSTANDING BETWEEN HIDALGO POLICE DEPARTMENT AND PHARR POLICE DEPARTMENT OVER JURISDICTIONAL AND INTERAGENCY SUPPORT. (TABLED) (POLICE)**

Ed Wylie, Interim City Manager, introduced the item and stated it was a tabled item.

Comm. Guajardo moved to un-table item. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Ed Wylie, Interim City Manager, introduced the item and recommended approval as per Police Chief.

Comm. Guajardo moved to approve as recommended. Comm. Carrillo 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 DPC INDUSTRIES, INC. FROM CORPUS CHRISTI, TX FOR THE PURCHASE AND DELIVERY OF CHLORINE & CALCIUM HYPO-CHLORITE. (PURCHASING)**

Ed Wylie, Interim City Manager, introduced the item and stated this was for the Water Plant. He recommended approval to extend supply contract for an additional one (1) year.

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

- C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AMEND THE CONTRACT WITH SEA CONSULTING ENGINEERS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND RELATED CONSTRUCTION PHASE SERVICES FOR THE 2ND SPAN OF PHARR-REYNOSA BRIDGE PROJECT. (ENGINEERING)**

Ed Wylie, Interim City Manager, introduced the item and stated this was for the design and related construction phase services at an additional \$3,988,334.00. He further 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, IS ANY, ON COLLECTIVE BARGAINING LABOR AGREEMENT BETWEEN PHARR POLICE OFFICERS ASSOCIATION AND THE CITY OF PHARR FOR FY2021-2022 THRU FY2023-2024 (ADMINISTRATION)**

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

Typo to agenda wording was corrected to reflect year 2024.

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

- E) CONSIDERATION AND ACTION, IS ANY, ON COLLECTIVE BARGAINING LABOR AGREEMENT BETWEEN PHARR PROFESSIONAL FIREFIGHTERS' ASSOCIATION AND THE CITY OF PHARR FOR FY2021-2022 THRU FY2023-2024 (ADMINISTRATION)**

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

Typo to agenda wording was corrected to reflect year 2024.

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

ITEM 12. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:22 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ

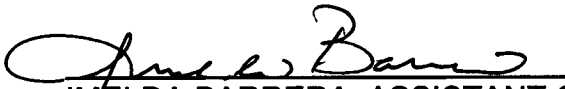
MINUTES: REGULAR CALLED MEETING
August 2, 2021

MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 2nd DAY OF AUGUST 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, **IMELDA BARRERA, ASSISTANT CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:



IMELDA BARRERA, ASSISTANT CITY CLERK

APPROVED: November 1, 2021