MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, AUGUST 16, 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 16, 2021 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT:	Mayor Ambrosio Hernandez (Arrived @ 4:05pm) Comm. Eleazar Guajardo Comm. Roberto "Bobby" Carrillo Comm. Ramiro Caballero Comm. Ricardo Medina Comm. Itza Flores
BOARD OF COMMISSIONERS ABSENT:	Mayor Pro Tem Daniel Chavez
STAFF PRESENT:	Edward Wylie, Interim City Manager Anali Alanis, Assistant 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. Srvcs. Director Olga Garza, Public Works Director Ruben Rosales, Public Utilities Director Sergio Alanis, Parks & Rec. Director Adolfo Garcia, Library Director 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. (ADMINISTRATION)

Alternate Mayor Pro Tem Carrillo called the meeting to order at 4:02 p.m. Roll call established a quorum.

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

B) PLEDGE OF ALLEGIANCE/INVOCATION (ADMINISTRATION)

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

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) SUBMISSION OF PROPERTY TAX COLLECTION REPORT FOR JULY 2021.

Ed Wylie, Interim City Manager, introduced the item. He reported the City of Pharr had an increase of .47% and 6.75% increase in delinquent tax collections.

B) SUBMISSION OF SALES TAX COLLECTION REPORT FOR AUGUST 2021.

Ed Wylie, Interim City Manager, introduced the item. He reported the City of Pharr had an increase of 32.84% for year-to-date compared to last year and 23.64% true growth.

ITEM 5. CONSENT AGENDA

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

1. **LAS MARGARITAS RESTAURANT INC. REQUESTED A 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 ALL OF LOTS 7-10, BLOCK 28, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 106 NORTH CAGE BOULEVARD. CUP#210740**

2. **GABRIELA'S HEAVENLY WINGS, D/B/A WINGSTOP, 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 LOT 2, PLEASANTON SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1701 SOUTH CAGE BOULEVARD, SUITE 105. CUP#100934**

3. **MARIO ALBERTO TORRES D/B/A ON THE GRILL RESTAURANT, 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 0.075 OF AN ACRE, MORE OR LESS, OUT OF LOT 1, JACKSON RIDGE COURT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1201 SOUTH JACKSON ROAD, SUITE 7. CUP#170740**

4. **SMOKIN' MOON, 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 HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 1-A AND THE EAST 26.7 FEET OF LOT 1, ALBRAD UNIT NO. 1 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1617 WEST POLK AVENUE. CUP#180648**

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

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

ITEM REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

A) 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. *(3RD AND FINAL READING)* (HR)

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

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

Ordinance No. O-2021-45 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING APPENDIX A, ZONING, ARTICLE VII, SECTION 1.70, A(7), TO THE CODE OF ORDINANCES. *(1ST READING)* (DEVELOPMENT SERVICES)

Ed Wylie, Interim City Manager, introduced the item and stated the City would like to be more developer friendly. He stated setback Ordinance for Expressway was 70' and recommended changing to 50' to allow for more room to build.

Comm. Guajardo **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 APPOINTING/RE-APPOINTING THREE (3) MEMBERS TO THE PEDC II BOARD OF DIRECTORS. (PEDC II)

Ed Wylie, Interim City Manager, introduced the item and stated the terms for Ambrosio Hernandez, Ramiro Caballero and Ricardo Medina would be expiring soon and members were wishing to be reappointed.

Comm. Guajardo **moved** to re-appoint Ambrosio Hernandez, Ramiro Caballero and Ricardo Medina to PEDC II Board of Directors. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2021-50 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

A) DISCUSSION AND ACTION FOR VOTE ON PROPOSED TAX RATE INCREASE AND SCHEDULE PUBLIC HEARING. (FINANCE)

Ed Wylie, Interim City Manager, introduced the item.

Karla Saavedra, Finance Director, stated this was for vote of proposed tax rate and schedule date for the public hearing. She stated the proposed tax rate was $.7176 which was the same as last year but higher than the no-new tax revenue rate of $.7899. Mrs. Saavedra announced the public hearing would take place on September 7, 2021 at 4:00 p.m. She further stated item required a record vote.

Comm. Guajardo **moved** to approve the proposed tax rate increase of .7176¢; Comm. Carrillo **moved** to approve the proposed tax rate increase of .7176¢; Comm. Caballero **moved** to approve the proposed tax rate increase of .7176¢; Comm. Medina **moved** to approve the proposed tax rate increase of .7176¢; and Comm. Flores **moved** to approve the proposed tax rate increase of .7176¢. The motion carried by majority vote.

ITEM 8. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE PHARR POLICE DEPARTMENT TO PURCHASE TWO (2) 2020 BMW R1250RT-P

POLICE MOTORCYCLES FOR A TOTAL OF $54,806.72 FROM ALAMO BMW OF BOERNE, TEXAS (POLICE)

Ed Wylie, Interim City Manager, introduced the item and stated this was for an additional two (2) motorcycles to be purchased with excess funds this fiscal year. He recommended approval.

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

Mayor Hernandez arrived at this point of the agenda. The time being 4:05 p.m.

ITEM 9. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO EXTEND INTERLOCAL AGREEMENT WITH CITY OF WESLACO FOR ANIMAL CONTROL OPERATIONS AND IMPOUNDMENT FOR AN ADDITIONAL YEAR. (PUBLIC WORKS)

Ed Wylie, Interim City Manager, introduced the item and recommended to extend agreement for one (1) year at the same rate.

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

B) CONSIDERATION AND ACTION, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AFFILIATION AGREEMENT WITH THE SCHOOL OF EMS, TO ALLOW THEIR EMT STUDENTS TO DO CLINICAL RIDE OUTS WITH PHARR EMERGENCY MEDICAL SERVICES (EMERGENCY MEDICAL SERVICES)

Ed Wylie, Interim City Manager, introduced the item and stated this was agreement for training hours with Pharr E.M.S. He recommended approval.

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

C) CONSIDERATION AND ACTION, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AFFILIATION AGREEMENT WITH THE ELITE MEDICAL TRAINING SOLUTIONS, TO ALLOW THEIR EMT STUDENTS TO DO CLINICAL RIDE OUTS WITH PHARR EMERGENCY MEDICAL SERVICES (EMERGENCY MEDICAL SERVICES)

Ed Wylie, Interim City Manager, introduced the item and stated this was agreement for training hours with Pharr E.M.S. He recommended approval.

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

D) CONSIDERATION AND ACTION, AUTHORIZING THE CITY MANAGER TO ENTER INTO A LETTER OF UNDERSTANDING (LOU) BETWEEN THE CITY OF PHARR EMS AND U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) HEALTH SERVICE CORPS (IHSC) FOR PAYMENT OF MEDICAL CARE PROVIDED TO DETAINEES. (EMERGENCY MEDICAL SERVICES)

Ed Wylie, Interim City Manager, introduced the item and stated this was for guaranteed payment to City of Pharr when I.C.E. called for medical care for a detainee. He recommended approval.

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

E) CONSIDERATION AND ACTION, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AFFILIATION AGREEMENT WITH THE TEXAS STATE TECHNICAL COLLEGE, TO ALLOW THEIR EMT STUDENTS TO DO CLINICAL RIDE OUTS WITH PHARR EMERGENCY MEDICAL SERVICE (EMERGENCY MEDICAL SERVICES)

Ed Wylie, Interim City Manager, introduced the item and stated this was agreement for training hours with Pharr E.M.S. He recommended approval.

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

F) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE CITY MANAGER TO AMEND THE LEASE AGREEMENT STYKER FOR EQUIPMENT FOR 7 NEW AMBULANCES. (EMERGENCY MEDICAL SERVICES)

Ed Wylie, Interim City Manager, introduced the item and stated this was to equip the seven (7) new ambulances with the same equipment. He recommended approval.

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

G) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH HALFF ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PHARR INTERNATIONAL BRIDGE MAINTENANCE MASTER PLAN. (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item and stated a maintenance master plan was needed to assess pavement conditions and prioritize a list of maintenance projects for Pharr International Bridge. He further stated engineering fee was $32,400 and recommended approval.

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

H) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE CITY MANAGER TO EXTEND THE MASTER SERVICE AGREEMENT FOR CONSTRUCTION MATERIAL TESTING (CMT) & GEOTECH SERVICES WITH THE GEOTECHNICAL FIRMS CURRENTLY ON THE CITY OF PHARR'S ROTATION LIST. (ENGINEERING)

Ed Wylie, Interim City Manager, introduced the item and stated this was to extend the rotation list one (1) more year. He recommended approval.

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

I) CONSIDERATION AND ACTION, IF ANY AUTHORIZING CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH AIRGAS USA, LLC OUT OF MCALLEN, TX, TO SUPPLY OXYGEN TO PHARR EMS THROUGH TEXAS SMARTBUY CONTRACT NO. 430-M2 (EMERGENCY MEDICAL SERVICES)

Ed Wylie, Interim City Manager, introduced the item and stated this was for oxygen tanks and supply at stations. He recommended approval.

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

J) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH DEEP IN THE HEART ART FOUNDRY FOR ADDITIONAL WORK ON GODDESS OF NIKE STATUE PROJECT. (ADMINISTRATION)

Ed Wylie, Interim City Manager, introduced the item and stated this was for additional work to statue for downtown Pharr area. He recommended approval.

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

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 4:22 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 10. LEGAL

A) CONSULTATION WITH LEGAL, AND ACTION, IF ANY REGARDING UNITED STATES OF AMERICA V. ACRES OF LAND, MORE OR LESS,, SITUATED IN HIDALGO COUNTY, TEXAS; HIDALGO COUNTY IRRIGATION DISTRICT NO.2, CITY OF PHARR, ET AL., (LEGAL)

Ed Wylie, Interim City Manager, introduced the item.

Comm. Guajardo **moved** to approve as discussed in executive session. Comm. Carrillo 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. Carrillo **moved** to adjourn. Comm. Guajardo 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
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 16th 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