

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, APRIL 4, 2022
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, April 4, 2022 and following is the record of attendance.

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

BOARD OF COMMISSIONERS ABSENT: Comm. Roberto "Bobby" Carrillo

STAFF PRESENT: Edward Wylie, Interim City Manager
Annie Reeves, Assistant City Manager
Anali Alanis, Assistant City Manager
Hilda Pedraza, City Clerk
Maria Rangel, Asst. City Engineer
Fabiola Sanchez, Asst. Finance Director
Juan Villescas, Municipal Judge
Andy Harvey, Police Chief
Pilar Rodriguez, Fire Chief
Roland Gomez, Interim Dev. Svcs. Director
Olga Garza, Public Works Director
Melanie Cano, O.S.E. Director
Ruben Rosales, Public Utilities Dir.
Sergio Alanis, Parks & Rec. Director
Cynthia Garza, CDBG/External Affairs
Adolfo Garcia, Library Director
Jose Pena, I.T. Director
Luis Bazan, Bridge Director
Ignacio Amezcua, Purchasing Director
Danny Ramirez, E.M.S. Chief
Yuri Gonzalez, Communications Officer
Sara Salinas, Public Safety Comm. Asst. Dir.

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 Pro Tem Daniel Chavez called the meeting to order at 4:00 p.m. Roll call established a quorum.

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

Mayor Hernandez was not present at the time of roll call, but arrived at 4:03 p.m.

B) PLEDGE OF ALLEGIANCE/INVOCATION

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

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING APRIL 3-9, 2022 AS NATIONAL LIBRARY WEEK (LIBRARY)

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Comm. Medina read proclamation proclaiming April 3-9, 2022 as National Library Week and presented proclamation to Adolfo Garcia, Library Director, and staff.

Adolfo Garcia, Library Director, thanked the Commission for the recognition and stated the Pharr Memorial Library would be having a Library Patron Appreciation Day on April 8, 2022 at the Development and Research Center.

B) PROCLAMATION PROCLAIMING APRIL 10-16, 2022 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK (COMMUNICATIONS)

Mayor Hernandez read proclamation proclaiming April 10-16, 2022 as National Public Telecommunicators Week.

Sara Salinas, Public Safety Assistant Director, and staff received proclamation and thanked the Commission for the recognition.

Mayor Hernandez expressed his appreciation to staff for an outstanding job.

C) PROCLAMATION PROCLAIMING APRIL 10-16, 2022 AS NATIONAL ANIMAL CONTROL OFFICER APPRECIATION WEEK (PUBLIC WORKS)

Comm. Caballero read proclamation proclaiming April 10-16, 2022 as National Animal Control Officer Appreciation week and presented proclamation to Garza, Public Works Director, and staff. Ms. Garza introduced her staff and thanked the Commission for the recognition.

D) PROCLAMATION PROCLAIMING APRIL 11-15, 2022 AS NATIONAL COMMUNITY DEVELOPMENT WEEK (GMCD)

Comm. Guajardo read proclamation proclaiming April 11-15, 2022 as National Community Development Week and presented proclamation to Cynthia Garza, CDBG Director.

Cynthia Garza, CDBG Director, introduced her staff and Community Development Council members and stated a national community event will be held on Thursday, April 14, 2022 in HUB downtown park. She extended an invitation the public to meet with public service agencies and local resource centers.

E) PROCLAMATION PROCLAIMING APRIL 2022 AS FAIR HOUSING MONTH (GMCD)

Comm. Guajardo read proclamation proclaiming April 2022 as Fair Housing Month and presented proclamation to Cynthia Garza, CDBG Director, and staff. Ms. Garza stated housing opportunities play an important role in our community and thanked the Commission for the recognition.

F) PROCLAMATION PROCLAIMING APRIL 2022 AS AUTISM AWARENESS MONTH (ADMINISTRATION)

Comm. Flores read proclamation proclaiming April 2022 as Autism Awareness month and presented proclamation to Evelyn Cano.

Evelyn Cano, Co-Founder/President Disability Chamber of Commerce RGV, stated she was a third term Texas appointee committee member to the Texas Governor's Committee on People with Disabilities. She stated their mission was to help people with disabilities and ensure their full and equal participation in society. She further thanked the Commission for the recognition.

ITEM 3 PUBLIC TESTIMONY

There were no comments from the public.

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ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

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

Aileen D. Rodriguez Spoke on item 6.C.7. She thanked the Planning & Zoning Commission for voting to deny the item and thanked the Commission for listening to the citizens.

B) PUBLIC HEARING ON THE MORATORIUM ON APPLICATIONS AND PLANS FOR DEVELOPMENT, PERMITS, PLATS, VERIFICATIONS, REZONING, SITE PLANS AND NEW OR REVISED CERTIFICATES OF OCCUPANCY FOR MULTIFAMILY DEVELOPMENTS WITHIN THE CITY OF PHARR (DEVELOPMENT SERVICES)

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) CITY ENGINEERS REPORT

Ed Wylie, Interim City Manager, called upon Maria Rangel, Assistant City Engineer, for a report.

Maria Rangel, Assistant City Engineer, presented a PowerPoint presentation on capital improvement projects. She gave a brief overview on the timelines, locations, and activities for the Drinking Water State Revolving Fund (DWSRF), the Clean Water State Revolving Fund (CWSRF), and the Flood Infrastructure Fund (FIF) projects.

Yuri Gonzalez, Communications Officer, stated the Pharr HUB Phestival would take place on Saturday, April 9, 2022 in downtown Pharr. She invited the public to join us for a night of entertainment with carnival rides, food vendors, and live musical performances.

Adolfo Garcia, Library Director, reported the Egg Stravaganza event would take place on Saturday, April 16, 2022 at the Pharr Sports Complex Park from 10:00 a.m. to 12:00 p.m. He stated there would be an easter egg hunt, games, prizes and fun for the entire family.

ITEM 6. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR MARCH 21, 2022 REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2019-32 INCREASING THE MEMBERSHIP OF THE KEEP PHARR BEAUTIFUL COMMITTEE FROM FIVE (5) TO SEVEN (7) MEMBERS. (2ND READING) (PARKS)

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

1. SIEMPRE LA PACHANGA, LLC., D/B/A LA PACHANGA RESTAURANT Y BUFFET 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 0.0351, MORE OR LESS, OUT OF LOT A, MEDICAL RIDGE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 1401 SOUTH JACKSON ROAD, UNIT 7 AND 8. CUP#220213 (DEVELOPMENT SERVICES)

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2. ERIC S. FANTICH, REPRESENTING FANTICH LAND HOLDINGS & DEVELOPMENT, LLC., OWNER, REQUESTED A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1-ACRE, MORE OR LESS, OUT OF LOT 152, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1024 WEST FERGUSON AVENUE. COZ#220105 (DEVELOPMENT SERVICES)
3. FULCRUM CONSULTING SERVICES, REPRESENTING ZEPPELIN TEXAS LLC., REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO HEAVY INDUSTRIAL DISTRICT (H-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 38.773-ACRES, MORE OR LESS, OUT OF LOTS 382 AND 385, KELLY – PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 800 BLOCK OF EAST HI-LINE ROAD. COZ#220207 (DEVELOPMENT SERVICES)
4. FULCRUM CONSULTING SERVICES, REPRESENTING DELTA PROPERTIES LLP. REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO HEAVY INDUSTRIAL DISTRICT (H-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 38.632-ACRES, MORE OR LESS, OUT OF LOTS 382 AND 385, KELLY – PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 800 BLOCK OF EAST HI-LINE ROAD. COZ#220208 (DEVELOPMENT SERVICES)
5. R. GUTIERREZ ENGINEERING CORPORATION, REPRESENTING ISMELDA MONTANEZ REQUESTED A CHANGE OF ZONE FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.38-ACRES, MORE OR LESS, OUT OF LOT 325, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 224 WEST DICKER ROAD. COZ#220209 (DEVELOPMENT SERVICES)
6. RICH HERITAGE CONSTRUCTION INC., OWNER, 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 7.0-ACRES, MORE OR LESS, OUT OF LOT 152 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 2211 NORTH SUGAR ROAD. COZ#220214 (DEVELOPMENT SERVICES)
7. GERARDO GUADALUPE GARZA JR. REQUESTED A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, BLOCK Q, VILLA BAEZ SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 320 EAST JONES AVENUE. COZ#201149 (DEVELOPMENT SERVICES)

Ed Wylie, Interim City Manager, introduced the item. He stated Item 6.C.7 was to approve denial of item and noted the department memo cover sheet had typo. He further recommended approval of the rest of consent agenda items.

Comm. Guajardo moved to deny item 6.C.7 and approve the rest of the consent agenda items as recommended. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Ordinance Nos. O-2022-06, O-2022-07, O-2022-08, O-2022-09, and O-2022-10 are filed with the City Clerk's office.

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 4:50 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.

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ITEM 13. RECONVENE

The time being 5:59 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 7. ORDINANCES AND RESOLUTIONS:

- A) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE IMPOSING A MORATORIUM ON APPLICATIONS AND PLANS FOR DEVELOPMENT, PERMITS, PLATS, VERIFICATIONS, REZONING, SITE PLANS AND NEW OR REVISED CERTIFICATES OF OCCUPANCY FOR MULTIFAMILY DEVELOPMENTS WITHIN THE CITY OF PHARR (1ST READING) (DEVELOPMENT SERVICES)**

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.

- B) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2021-44 FOR MODIFICATIONS TO THE FEE SCHEDULE FOR MUNICIPAL FIBER OPTIC SERVICES (IT)**

Ed Wylie, Interim City Manager, introduced the item. He stated this was the first reading of the ordinance and 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, IF ANY, ON RESOLUTION REMOVING ONE (1) BOARD MEMBER AND APPOINTING ONE (1) NEW BOARD MEMBER TO THE TIERRA DEL SOL ADVISORY GOLF CLUB (ADMINISTRATION)**

Ed Wylie, Interim City Manager, introduced the item. He stated board member Javier Martinez was being removed from the board and recommended appointment of Michael Pacheco to fill the unexpired term.

Comm. Medina **moved** to remove Javier Martinez and appoint Michael Pacheco to the Tierra Del Sol Golf Club Advisory Board. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2022-18 is filed with the City Clerk's office.

ITEM 8. ADMINISTRATIVE:

- A) **PRESENTATION AND UPDATE BY STRUCTURAL ENGINEERING ASSOCIATES (ADMINISTRATION)**

Ed Wylie, Interim City Manager, introduced the item and stated no action was needed.

ITEM 9. PURCHASING:

- A) **CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF A FUEL & LUBE TRUCK FROM RUSH TRUCK CENTER, OUT OF PHARR, TEXAS THROUGH BUYBOARD CONTRACT NO. 601-19, IN THE AMOUNT OF \$213,325.16 (PUBLIC WORKS)**

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

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

ITEM 10. CONTRACTS/AGREEMENTS:

- A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH AIR MEDICAL TECHNOLOGIES LLC. OUT OF RENO, NEVADA FOR FLIGHT DISPATCH SOFTWARE SERVICES FOR EMERGENCY AND NON-EMERGENCY DISPATCHING OF THE PHARR EMERGENCY MEDICAL SERVICES FLIGHT RESOURCES (COMMUNICATIONS)**

Ed Wylie, Interim City Manager, introduced the item. He stated this was a software for dispatching of flight resources and recommended approval.

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

- B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AMEND THE MAINTENANCE AGREEMENT WITH TYLER TECHNOLOGIES NEW WORLD OUT OF PLANO, TEXAS FOR UPDATED PERFORMANCE DASHBOARD SERVICES IN THE AMOUNT OF \$5,583.30 (COMMUNICATIONS)**

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

Comm. Flores **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 AMENDMENT NUMBER 2 IN THE AMOUNT OF \$50,001 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH STRUCTURAL ENGINEERING ASSOCIATES, INC. (SEA) FOR THE PHARR-REYNOSA BRIDGE EXPANSION PRESIDENTIAL PERMIT APPLICATION (ENGINEERING)**

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

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

- D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AMEND AND EXECUTE UTILITY ADJUSTMENT AGREEMENT FOR THE I-2 / I-69C INTERCHANGE PROJECT (PUBLIC UTILITIES)**

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.

ITEM 11. LEGAL

- A) CONSULTATION WITH LEGAL AND CONSIDERATION AND ACTION, IF ANY, ON SETTLEMENT IN CITY OF PHARR, TEXAS VS. SAENZ UTILITY CONTRACTORS, LLC F/K/A SAENZ UTILITY CONTRACTORS, LTD., SAMES, INC., SAMUEL MALDONADO, AND CONTECH ENGINEERED SOLUTIONS, LLC, C-4349-17-B, IN THE 93RD DISTRICT COURT HIDALGO COUNTY, TEXAS (LEGAL)**

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

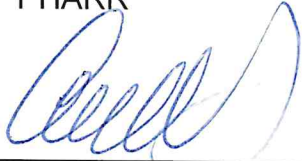
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Comm. Guajardo **moved** to approve as recommended. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

ITEM 11. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:04 p.m.

CITY OF PHARR

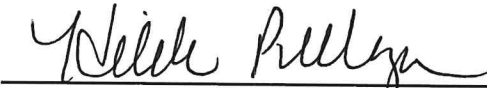


AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 4TH DAY OF APRIL 2022 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: May 2, 2022