

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

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, May 2, 2022 and following is the record of attendance.

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

BOARD OF COMMISSIONERS ABSENT: Comm. Eleazar Guajardo

STAFF PRESENT: Andy Harvey, City Manager/Police Chief
Edward Wylie, Deputy City Manager
Anali Alanis, Assistant City Manager
Hilda Pedraza, City Clerk
Maria Rangel, Asst. City Engineer
Karla Saavedra, Finance Director
Juan Villescas, Municipal Judge
Joel Robles, Asst. Police Chief
Pilar Rodriguez, Fire Chief
Roland Gomez, Interim Dev. Svcs. Director
Olga Garza, Public Works Director
Melanie Cano, O.S.E. Director
Oscar De Leon, Asst. 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
Kenneth Ennis, Public Safety Comms. 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 Hernandez called the meeting to order at 4:00 p.m. Roll call established a quorum.

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

Comm. Chavez was not present at the time of roll call but arrived at 4:02 p.m.

B) PLEDGE OF ALLEGIANCE/INVOCATION

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

ITEM 2. PROCLAMATIONS

MINUTES: REGULAR CALLED MEETING
May 2, 2022

A) PROCLAMATION PROCLAIMING May 1-7, 2022 AS PROFESSIONAL MUNICIPAL CLERKS WEEK (ADMINISTRATION)

Comm. Flores read proclamation proclaiming May 1-7, 2022 as Professional Municipal Clerks Week.

Hilda Pedraza, City Clerk; Imelda Perez, Assistant City Clerk; and Maritza Gutierrez, Local Registrar/Records Management Liaison received the proclamation and thanked the Commission for the recognition.

B) PROCLAMATION PROCLAIMING MAY 11 - 17, 2022 AS PHARR POLICE MEMORIAL WEEK (POLICE)

Andy Harvey, City Manager/Police Chief read proclamation proclaiming May 11-17, 2022 as Police Memorial Week.

Joel Robles, Assistant Police Chief; William Edmundson, Deputy Chief; and Juan F. Gonzalez, Deputy Chief received the proclamation and thanked the Commission for the recognition.

C) PROCLAMATION PROCLAIMING MAY 15 - 21, 2022 AS EMERGENCY MEDICAL SERVICES WEEK (EMERGENCY MEDICAL SERVICES)

Comm. Carrillo read proclamation proclaiming May 15-21, 2022 as Emergency Medical Services Week and presented proclamation to Danny Ramirez, EMS Chief and Pharr EMS staff.

D) PROCLAMATION PROCLAIMING MAY 2022 AS NATIONAL STOP THE BLEED MONTH (EMERGENCY MEDICAL SERVICES)

Mayor Hernandez read proclamation proclaiming May 2022 as National Stop the Bleed Month and presented proclamation to Pharr EMS staff.

Danny Ramirez, EMS Chief, Pharr EMS in partnership with various organizations would be hosting a free training on stop the bleed on May 19, 2022 at Pharr EMS Headquarters. He further introduced staff and thanked the Commission for the recognition.

ITEM 3 PUBLIC TESTIMONY

There were no comments from the public.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Andy Harvey, City Manager, opened the public hearing. There being no comments from the public, the public hearing was closed.

ITEM 5. CITY MANAGER'S REPORTS

Patricia Rigney, City Attorney, called upon newly hired Assistant City Attorney, Veronica Bernal-McCann. Ms. McCann introduced herself and thanked management and the Commission for the opportunity to be part of the City of Pharr.

At this time, Mayor Hernandez welcomed newly appointed City Manager, Andy Harvey, and congratulated him for this important leadership role. Andy Harvey, City Manager, stated he was honored for the opportunity and shared a video of his family's upbringings to the city of Pharr.

A) SUBMISSION OF 2ND QUARTER 2021-2022 CITY OF PHARR INVESTMENT REPORT

MINUTES: REGULAR CALLED MEETING
May 2, 2022

Karla Saavedra, Finance Director, briefly stated the report was in their packets and questions could be entertained at this time.

B) SUBMISSION OF FINANCIAL REPORT FOR THE PERIOD ENDING MARCH 31, 2022 (FINANCE)

Karla Saavedra, Finance Director, reported the city financial report was prepared on a regular basis as part of the city's fiscal transparency. She briefly went over the fiscal updates and stated the city's bond ratings were in the upper A's.

ITEM 6. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR APRIL 4, 2022 REGULAR CALLED MEETING; APRIL 13, 2022 SPECIAL CALLED MEETING; APRIL 18, 2022 REGULAR CALLED MEETING; AND APRIL 20, 2022 SPECIAL CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2021-44 FOR MODIFICATIONS TO THE FEE SCHEDULE FOR MUNICIPAL FIBER OPTIC SERVICES (3RD AND FINAL READING) (IT)

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2018-04 TO MODIFY THE FEE SCHEDULE TO ADD THE PHARR NATATORIUM LOCATED AT 3001 N. CAGE (2ND READING) (PARKS)

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

1. MELDEN & HUNT, INC., REPRESENTING ADELANTE HOLDINGS, LTD., OWNER, REQUESTED A CHANGE OF ZONE FROM RESIDENTIAL MULTI FAMILY HIGH-DENSITY DISTRICT (R-MFHD) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 2.30-ACRES, MORE OR LESS, OUT OF LOT 151, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 2605 NORTH SUGAR ROAD. COZ#220322 (DEVELOPMENT SERVICES)

2. PHARR CENTRAL INDUSTRIAL, LLC., REPRESENTING EXCLUSIVE COVERING, INC., OWNER, REQUESTED A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) TO HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, ALFREDO'S TILE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 707 WEST FERGUSON AVENUE. COZ#220323 (DEVELOPMENT SERVICES)

E) PLATS:

1. MELDEN & HUNT INC., REPRESENTING JORGE A. ADRADE, MANAGER FOR BLU-MAN INVESTMENTS, L.L.C, A TEXAS LIMITED LIABILITY COMPANY, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED SOUTH GATE INDUSTRIAL PARK MASTER PLAN SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 46.230 ACRES CONSISTING OF 23.529 ACRES OUT OF LOT 383 AND 22.701 ACRES OUT OF LOT 384 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 800 BLOCK OF E. MILITARY HWY. SUB#220308 (DEVELOPMENT SERVICES)

Andy Harvey, City Manager, introduced the item.

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

Ordinance Nos. O-2022-16, O-2022-17, and O-2022-18 are filed with the City Clerk's office.

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

ITEM 11. 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 4:48 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 5:22 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 8 ADMINISTRATIVE:

A) CONSIDERATION AND ACTION, IF ANY, ACCEPTING THE CITY OF PHARR AUDITED FINANCIAL STATEMENTS FOR FY 2020-2021 (FINANCE)

Andy Harvey, City Manager, introduced the item.

Melissa Gonzalez, CPA with Oscar R. Gonzalez CPA & Associates, stated they had audited the financial statements of the City of Pharr and the financial and internal control audit report was presented with an unmodified (clean) opinion. She further stated all component units were presented fairly in all material aspects.

Comm. Carrillo moved to accept the audited financial statements for FY 2020-2021. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

ITEM 7. ORDINANCES AND RESOLUTIONS:

A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING PHARR POLICE DEPARTMENT TO SUBMIT AN APPLICATION FOR THE OPERATION STONEGARDEN GRANT PROGRAM (OPSG-2021) TO THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANTS DIVISION GRANT #3173107 / OPSG-2021 (POLICE)

Andy Harvey, City Manager, introduced the item.

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

Resolution No. R-2022-20 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR A PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF THE PROPERTY; DETERMINING THE ESTATE TO BE ACQUIRED; ESTABLISHING FAIR MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED, AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATING FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDINGS BY CITY ATTORNEY; RATIFICATION OF PRIOR ACTS (FIRE)

Andy Harvey, City Manager, introduced the item.

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

Resolution No. R-2022-20 is filed with the City Clerk's Office.

ITEM 9. PURCHASING:

- A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF THREE 6" GODWIN PUMPS AND ONE 12" GODWIN PUMP FOR DEWATERING SERVICES FROM XYLEM DEWATERING SOLUTIONS OUT OF CORPUS CHRISTI, TEXAS, IN THE AMOUNT OF \$274,946.09 THROUGH HGAC CM02-21 (PUBLIC WORKS)**

Andy Harvey, City Manager, introduced the item.

Comm. Medina **moved** to approve. Comm. Caballero seconded the motion.

Olga Garza, Public Works Director, briefly explained these were additional pumps needed for emergency response and to allow rapid dewatering of flooded areas in the city.

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, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH R. GUTIERREZ ENGINEERING CORPORATION FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$17,500.00 FOR THE SUBDIVISION PLAT AND DRAINAGE PLAN FOR THE NEW PARKS & RECREATION DEPARTMENT WAREHOUSE PROPERTY LOCATED ON S. NELSON ST. ALONG W. HALL ACRES RD. (ENGINEERING)**

Andy Harvey, City Manager, introduced the item.

Comm. Medina **moved** to approve. Comm. Flores seconded the motion and when put to a vote, it carried by a majority vote of five (5) ayes and one (1) abstention. Comm. Chavez abstained from voting.

- B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO EXECUTE A NON-DISCLOSURE AGREEMENT (NDA) WITH DHR HEALTH INSTITUTE FOR RESEARCH AND DEVELOPMENT ALLOWING THE EMS DEPARTMENT TO PARTICIPATE IN RESEARCH STUDIES (EMERGENCY MEDICAL SERVICES)**

Andy Harvey, City Manager, introduced the item.

Comm. Carrillo **moved** to approve. Comm. Chavez seconded the motion and when put to a vote, it carried by a majority vote of five (5) ayes and one (1) abstention. Mayor Hernandez abstained from voting.

- C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO AN AFFILIATION AGREEMENT WITH RGV COLLEGE FOR EMS STUDENT CLINICAL ROTATIONS (EMERGENCY MEDICAL SERVICES)**

Andy Harvey, City Manager, introduced the item.

MINUTES: REGULAR CALLED MEETING
May 2, 2022

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

D) CONSIDERATION AND ACTION, IF ANY, RATIFYING AGREEMENT BETWEEN CITY OF PHARR AND CLEARGOV FOR BUDGET PREPARATION SOFTWARE SERVICE AGREEMENT (FINANCE)

Andy Harvey, City Manager, introduced the item.

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

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO RATIFY CHANGE ORDER NUMBER 4 IN THE AMOUNT OF \$290,395 FOR THE NORTHSIDE AQUATIC FACILITY (ENGINEERING)

Andy Harvey, City Manager, introduced the item.

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

F) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A BUSINESS AGREEMENT WITH EMERGENT AIR AUTHORIZING THE SHARING OF PROTECTED HEALTH INFORMATION (PHI) FOR FLIGHT SERVICES (EMERGENCY MEDICAL SERVICES)

Andy Harvey, City Manager, introduced the item.

Comm. Medina moved to approve as recommended. Comm. Flores 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 AGREEMENT WITH AN ENGINEER ON THE APPROVED PROFESSIONAL ENGINEERING SERVICES POOL FOR THE PLATTING OF THE PROPERTY FOR THE PROPOSED EMERGENCY MANAGEMENT SERVICE (EMS) AND FIRE DEPARTMENT (FD) DEVELOPMENTS ON NORTH KNIGHTS DRIVE (ENGINEERING)

Andy Harvey, City Manager, introduced the item.

Comm. Chavez moved to approve as recommended. Comm. Medina seconded the motion.

Mayor Hernandez asked staff what the completion date for the project was. Maria Rangel, Assistant City Engineer, briefly stated the estimated construction for the project was six months.

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

ITEM 13. ADJOURNMENT

There being no other business to come before the board, Comm. Medina moved to adjourn. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:30 p.m.

MINUTES: REGULAR CALLED MEETING
May 2, 2022

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 2nd DAY OF MAY 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 16, 2022