

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JUNE 6, 2022
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, June 6, 2022 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Roberto “Bobby” Carrillo
Comm. Ramiro Caballero
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Andy Harvey, City Manager/Police Chief
Edward Wylie, Deputy City Manager
Anali Alanis, Assistant City Manager
Annie Reeves, Assistant City Manager
Hilda Pedraza, City Clerk
Maria Rangel, Asst. City Engineer
Fabiola Sanchez, Asst. Finance Director
Juan Villescascas, Municipal Judge
Joel Robles, Asst. Police Chief
Pilar Rodriguez, Fire Chief
Roland Gomez, Dev. Svcs. Director
Luis Marin, Asst. 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
Ben Martinez, Asst. E.M.S. Chief
Yuri Gonzalez, Communications Officer
Kenneth Ennis, Public Safety Comm. Dir.

CITY ATTORNEY Patricia Rigney, City Attorney
Veronica McCann, Asst. 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 Chavez called the meeting to order at 4:03 p.m. Roll call established a quorum.

Mayor Hernandez was not present at the time of roll call but arrived at 4:39 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 JUNE 3, 2022 AS NATIONAL GUN VIOLENCE AWARENESS DAY (ADMINISTRATION)

MINUTES: REGULAR CALLED MEETING
June 6, 2022

Comm. Medina read proclamation proclaiming June 3, 2022 as National Gun Violence Awareness Day and presented proclamation to Lih-Lan Hu, RGV Moms Demand Action Local Group Lead.

B) PROCLAMATION PROCLAIMING JUNE 19, 2022 AS JUNETEENTH DAY (ADMINISTRATION)

Comm. Flores read proclamation proclaiming June 19, 2022 as Juneteenth Day and presented proclamation to Alphonzo Gatlin, Village in the Valley (ViVa) representative.

ITEM 3 PUBLIC TESTIMONY

Lupe Chavez signed up to speak on agenda item 9.L. but comments were not related to the agenda item.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Hilda Pedraza, City Clerk, opened the public hearing. There being no comments from the public, the public hearing was closed.

ITEM 5. CITY MANAGER'S REPORTS

A) CITY ENGINEER'S REPORT

Hilda Pedraza, City Clerk, introduced the item, and stated questions could be entertained at this time.

There being no questions, Andy Harvey, City Manager, reported the Pharr Aquatic Center was now open and information was available on the City's website.

At this time, Andy Harvey, City Manager, called upon Pilar Rodriguez, Fire Chief, for a report on a new initiative.

Pilar Rodriguez, Fire Chief, reported the "She's my Hero" summer camp for girls was a new initiative implemented by the Fire Department and stated the goal was to introduce young women into firefighting. He further stated registration would be opened on Tuesday, June 6, 2022 and encouraged young women to participate. A video was presented.

Andy Harvey, City Manager, further reported City of Pharr team traveled to Uvalde, Texas to lend a helping hand and offer comfort and support to the grieving community. A video was presented.

ITEM 6. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR MAY 16, 2022 REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT AMENDMENT WITH ARCHITECT FOR NURSING BUILDING (ADMINISTRATION)

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING CHAPTER 54 OF THE PHARR CODE OF ORDINANCES BY UPDATING THE FEE SCHEDULE FOR COST RECOVERY; INCLUSION IN PHARR CODE OF ORDINANCES; INCORPORATION OF OTHER ORDINANCES; REPEALING CONFLICTING ORDINANCES; SEVERABILITY; AND EFFECTIVE DATE (2ND READING) (FIRE)

MINUTES: REGULAR CALLED MEETING
June 6, 2022

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

1. 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 (DEVELOPMENT SERVICES)
2. 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 (DEVELOPMENT SERVICES)

Hilda Pedraza, City Clerk, introduced the item.

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

REGULAR AGENDA - OPEN SESSION

ITEM 7 ORDINANCES AND RESOLUTIONS:

- A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2022-19 TO MODIFY THE FEE SCHEDULE TO ADD THE PHARR NATATORIUM LOCATED AT 3001 N. CAGE BLVD. (1ST READING) (PARKS)**

Hilda Pedraza, City Clerk, introduced the item.

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

At this time, Mayor Pro Tem Chavez, 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 4:36 p.m., Mayor Pro Tem Chavez 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 5:36 p.m., Mayor Hernandez stated the commission would be resuming the open meeting and go to item 9.I.

9. CONTRACTS/AGREEMENTS:

- I) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT BETWEEN CITY OF PHARR AND HIDALGO COUNTY DRAINAGE DISTRICT NUMBER 1 FOR THE EAST LAS MILPAS ROAD STORMWATER IMPROVEMENTS PROJECT (ENGINEERING)**

MINUTES: REGULAR CALLED MEETING
June 6, 2022

Hilda Pedraza, City Clerk, introduced the item.

Omar Anzaldúa, Hidalgo County Drainage District Number 1 Engineer, stated the program would benefit East Las Milpas Road by mitigating flooding along the road as well as in Las Haciendas Subdivision.

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

7. ORDINANCES AND RESOLUTIONS:

- B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DECLARING SURPLUS ITEMS AND EQUIPMENT FROM VARIOUS DEPARTMENTS AND AUTHORIZING THE SALE OF SUCH ITEMS VIA A PUBLIC AUCTION (PURCHASING)**

Hilda Pedraza, City Clerk, introduced the item.

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

8. ADMINISTRATIVE:

- A) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM AMERICAN LEGION POST 101 FOR THE USE OF THE LARGE HALL AT THE JOSE 'PEPE' SALINAS RECREATION CENTER FOR MULTIPLE DATES DURING THE CALENDAR YEAR 2022 AND WAIVER OF RENTAL FEES (PARKS)**

Hilda Pedraza, City Clerk, introduced the item.

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

- B) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PHARR HOUSING AUTHORITY FOR THE USE OF THE LARGE HALL AT THE JOSE 'PEPE' SALINAS RECREATION CENTER ON FRIDAY, JUNE 24, 2022, FROM 8:00 A.M. TO 3:00 P.M. AND WAIVER OF RENTAL FEES (PARKS)**

Hilda Pedraza, City Clerk, introduced the item.

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

ITEM 9. CONTRACTS/AGREEMENTS:

- A) CONSIDERATION AND ACTION, IF ANY, ON AMENDMENT NUMBER 3 IN THE AMOUNT OF \$88,243.73 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH STRUCTURAL ENGINEERING ASSOCIATES, INC (SEA) FOR THE PHARR-REYNOSA BRIDGE EXPANSION PRESIDENTIAL PERMIT APPLICATION (ENGINEERING)**

Hilda Pedraza, City Clerk, introduced the item.

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

- B) CONSIDERATION AND ACTION, IF ANY, ON POLICING AGREEMENT BETWEEN CITY OF PHARR AND VANGUARD ACADEMY FOR THE "SCHOOL RESOURCE OFFICER PROGRAM" 2022-2023 (POLICE)**

Hilda Pedraza, City Clerk, introduced the item.

MINUTES: REGULAR CALLED MEETING
June 6, 2022

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

C) CONSIDERATION AND ACTION, IF ANY, ON POLICING AGREEMENT BETWEEN CITY OF PHARR AND VANGUARD ACADEMY FOR POLICE K9 SERVICES AT VANGUARD ACADEMY CAMPUSES FOR 2022-2023 (POLICE)

Hilda Pedraza, City Clerk, introduced the item.

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

D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CINTAS CORPORATION OUT OF MERCEDES, TEXAS FOR UNIFORMS FOR THE PUBLIC UTILITIES DEPARTMENT THROUGH OMNIA CONTRACT NUMBER R-BB-19002 IN THE AMOUNT NOT TO EXCEED \$80,000.00 (PUBLIC UTILITIES)

Hilda Pedraza, City Clerk, introduced the item.

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

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SOUTHERN TRENCHLESS SOLUTIONS OUT OF LA FERIA, TEXAS FOR THE 16-INCH WATERLINE IMPROVEMENTS PROJECT ON HI-LINE ROAD AND CAGE BOULEVARD THROUGH BUYBOARD CONTRACT #635-21 IN THE AMOUNT OF \$277,200.00 (PUBLIC UTILITIES)

Hilda Pedraza, City Clerk, introduced the item.

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

F) CONSIDERATION AND ACTION, IF ANY, ON DEDUCTIVE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$12,000.00, FINAL ACCEPTANCE OF THE JAVELINA DRIVE MONUMENT SIGNS PROJECT, AND RELEASE OF FINAL PAYMENT AND RETAINAGE IN THE AMOUNT OF \$5,616.50 TO FACILITY SOLUTIONS GROUP (ENGINEERING)

Hilda Pedraza, City Clerk, introduced the item.

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

G) CONSIDERATION AND ACTION, IF ANY, ON FINAL CHANGE ORDER NUMBER 2 IN THE AMOUNT OF \$10,528.55, WITH AN ADDITIONAL 80 DAYS, ACCEPTANCE OF THE WASTEWATER TREATMENT PLANT (WWTP) OXIDATION DITCH NUMBER 2 AND ELECTRICAL IMPROVEMENTS PHASE 1, AND RELEASE OF FINAL PAYMENT AND RETAINAGE IN THE AMOUNT OF \$53,901.43 TO FERGUSON SERVICE SYSTEMS, INC. (ENGINEERING)

Hilda Pedraza, City Clerk, introduced the item.

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

MINUTES: REGULAR CALLED MEETING
June 6, 2022

- H) **CONSIDERATION AND ACTION, IF ANY, ON DEDUCTIVE CHANGE ORDER NUMBER 1 IN THE AMOUNT OF \$53,419.18 AND ACCEPTANCE OF THE SINGLE MACHINE REPAVING YEAR 6 PROJECT AND RELEASE OF FINAL PAYMENT AND RETAINAGE IN THE AMOUNT OF \$83,229.29 TO CUTLER REPAVING, INC. (ENGINEERING)**

Hilda Pedraza, City Clerk, introduced the item.

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

- J) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO EXECUTE SERVICE ORDER WITH SMARTCOM TELEPHONE, LLC FOR DATA NETWORK CONNECTIVITY AT VANGUARD ACADEMY VAN GOGH CAMPUS FOR POLICE DEPARTMENT STAFF (IT)**

Hilda Pedraza, City Clerk, introduced the item.

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

- K) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO EXECUTE SERVICE ORDER WITH SMARTCOM TELEPHONE, LLC FOR DATA NETWORK CONNECTIVITY AT PHARR EMS MCALLEN OFFICE (IT)**

Hilda Pedraza, City Clerk, introduced the item.

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

- L) **CONSIDERATION AND ACTION, IF ANY, ON AMENDMENT NUMBER 1 IN THE AMOUNT OF \$592,000.00 TO THE CONSTRUCTION MANAGEMENT SERVICES AGREEMENT WITH BROWNSTONE CONSULTANTS, LLC FOR THE PHARR/UNIVERSITY OF TEXAS-RIO GRANDE VALLEY SCHOOL OF NURSING PROJECT (ENGINEERING)**

Hilda Pedraza, City Clerk, introduced the item.

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

At this time, Ed Wylie, Deputy City Manager, noted a correction on the agenda item and explained the amendment was Amendment Number 2 not Amendment Number 1.

ITEM 10. LEGAL:

- A) **ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071, TEXAS GOV'T CODE TO RECEIVE LEGAL ADVICE AND COUNSEL PERTAINING TO PENDING LITIGATION STYLED AND NUMBERED, IS WILLIAM F. UECKERT, JR. VS. CITY OF PHARR; CIVIL ACTION NO. 7:18-CV-00302 (USDC - MCALLEN DIVISION) AND RELATED LEGAL ISSUES (LEGAL)**

Hilda Pedraza, City Clerk, introduced the item and stated no action was necessary.

ITEM 12. 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 5:45 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 6th DAY OF JUNE 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: June 20, 2022