

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, AUGUST 15, 2022
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, August 15, 2022 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. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: Comm. Ramiro Caballero

STAFF PRESENT: Andy Harvey, City Manager/Police Chief
Edward Wylie, Deputy City Manager
Anali Alanis, Assistant City Manager
Hilda Pedraza, City Clerk
Ruben Alfaro, City Engineer
Karla Saavedra, Finance Director
Juan Villescas, Municipal Judge
Joel Robles, Asst. Fire Chief
Pilar Rodriguez, Fire Chief
Roland Gomez, Code Enforcement Director
Kimberly Mendoza, Dev. Svcs. Director
Rodrigo Davila, Public Works Director
Melanie Cano, Director of O.S.E.
Oscar De Leon, Asst. Public Utilities Dir.
Sergio Alanis, Parks & Rec. Director
Cynthia Garza, External Affairs Dir.
Adolfo Garcia, Library Director
Jose Pena, I.T. Director
Fred Brouwen, Dir. of Operations
Ignacio Amezcua, Purchasing Director
Danny Ramirez, E.M.S. Chief
Yuri Gonzalez, Chief Comms. Officer
Marcela Beas, Chamber President
Sara Salinas, Asst. P.S. 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. Guajardo moved to excuse absent member. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

B) PLEDGE OF ALLEGIANCE/INVOCATION

Adolfo Garcia, Library Director, led the pledge of allegiance and said the invocation.

ITEM 2. PUBLIC TESTIMONY

There were no public comments.

ITEM 3. PUBLIC HEARINGS

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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 4. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR AUGUST 2022

Andy Harvey, City Manager, stated the Karla Saavedra, Finance Director, was in the audience and questions could be entertained at this time.

Mayor Hernandez asked about the decrease. Karla Saavedra, Finance Director, briefly explained sales tax for the month of August 2022 showed a decrease of - 6.69% month to month compared to last. She stated the reason for the decrease was only due to a one-time payment of \$356,351 received in August 2021; therefore, the comparison seemed negative. She further stated if the August 2021 payment was deducted and compared to August 2022, there was a true growth increase of 7.07%.

At this time, Andy Harvey, City Manager, recognized Irma Elizondo from Irma's Sweet Shoppe.

Mayor Hernandez congratulated Ms. Elizondo for her successful business and for being a staple in the community over the past 40 years. He stated he had many memories and wished her well. Comm. Carrillo and Comm. Medina echoed Mayor Hernandez's comments. Ms. Elizondo thanked the City of Pharr for the recognition.

ITEM 5. CONSENT AGENDA

- A) APPROVAL OF MINUTES FOR AUGUST 1, 2022 REGULAR CALLED MEETING (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE CREATING THE DEPARTMENT OF BUILDING AND CODE COMPLIANCE (2ND READING) (ADMINISTRATION)**
- C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO APPLY FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) (POLICE)**
- D) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM HIDALGO COUNTY ELECTIONS DEPARTMENT TO USE THE PHARR MEMORIAL LIBRARY AS A POLLING LOCATION FOR THE UPCOMING 2022 GENERAL ELECTIONS (ADMINISTRATION)**
- E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS (RFP) FOR EXTERNAL AUDITING SERVICES FOR THE CITY OF PHARR AND COMPONENT UNITS (FINANCE)**
- F) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:**

1. ESPI LOGISTICS, LLC., 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 4, JOHNSTONE SUPPLY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 921 WEST SHARM DRIVE COZ#220737 (DEVELOPMENT SERVICES)

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2. HALFF ASSOCIATES, INC., REPRESENTING CAPOTE FARMS, LTD., OWNER, REQUESTED A CHANGE OF ZONE FROM LIMITED INDUSTRIAL DISTRICT (L-I) TO HEAVY INDUSTRIAL DISTRICT (H-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 19.522 ACRES, MORE OR LESS, OUT OF LOTS 3 & 4, BLOCK 1, RE-SUBDIVISION OF CLOSNER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 11000 BLOCK OF SOUTH VETERANS BOULEVARD COZ#220738 (DEVELOPMENT SERVICES)

G) PLATS:

1. SALINAS ENGINEERING & ASSOCIATES, REPRESENTING ROBERTO AND NYDIA CAVAZOS, OWNERS, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED TROPICAL SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.51 ACRE TRACT OF LAND, MORE OR LESS OUT OF AND FORMING A PART OF LOT 4, BELL DEVELOPMENT "E" SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED AT THE 1900 BLOCK OF NORTH VETERANS BLVD. ("I" ROAD) SUB#201236 (DEVELOPMENT SERVICES)

2. MELDEN & HUNT INC., REPRESENTING, STEVE LOLLIS, MANAGER AND SOLE MEMBER, FOR TGO DAHLIA 21, LP, A TEXAS LIMITED PARTNERSHIP, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED DAHLIA VILLAS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RESUBDIVISION OF 4.538 ACRES OUT OF LOT 187 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 400 BLOCK OF WEST SAM HOUSTON AVE. SUB#220203 (DEVELOPMENT SERVICES)

Andy Harvey, City Manager, introduced the item.

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

Resolution No. R-2022-29 and Ordinance Nos. O-2022-30 and O-2022-31 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 4:10 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 5:14 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS:

A) CONSIDERATION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2022-16 MUNICIPAL FIBER OPTIC FEE SCHEDULE (1ST READING) (ADMINISTRATION)

Andy Harvey, City Manager, introduced the item.

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

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B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING ONE (1) MEMBER TO THE BRIDGE BOARD (TABLED)

Andy Harvey, City Manager, introduced the item.

Comm. Carrillo **moved** to table item. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) REGULAR MEMBER AND ONE (1) EX-OFFICIO MEMBER TO THE PHARR MEMORIAL LIBRARY BOARD (LIBRARY)

Andy Harvey, City Manager, introduced the item. He briefly stated current board members Aida Escobar and Comm. Eleazar Guajardo wished to continue serving and recommended approval.

Comm. Chavez **moved** to reappoint Aida Escobar as Regular Member and Comm. Eleazar Guajardo as Ex-officio member to the Pharr Memorial Library Board. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2022-30 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ADOPTING THE CITY OF PHARR ONE-YEAR ACTION PLAN PROGRAM YEAR 2022 TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (GMCD)

Andy Harvey, City Manager, introduced the item.

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

Resolution No. R-2022-31 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING FOUR (4) MEMBERS TO THE PHARR ECONOMIC DEVELOPMENT CORPORATION II BOARD OF DIRECTORS (PEDC II)

Andy Harvey, City Manager, introduced the item.

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

ITEM 7. ADMINISTRATIVE

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

Andy Harvey, City Manager, introduced the item.

Karla Saavedra, Finance Director, briefly reviewed the proposed tax rate and explained the City of Pharr was not proposing to increase property taxes. She stated as per state law, only one public hearing was required. She further stated the proposed tax rate was \$0.7176 and it could be adopted after the public hearing scheduled for September 6, 2022 at 4:00 p.m. at City Commissioners Room.

There being no discussion, a Roll Call vote was requested:

ROLL CALL VOTE:

AYES: Mayor Ambrosio Hernandez, Comm. Eleazar Guajardo, Comm. Bobby Carrillo, Comm. Daniel Chavez, Comm. Ricardo Medina, and Comm. Itza Flores.

ABSENT: Comm. Ramiro Caballero

B) SUBMISSION OF CERTIFIED TOTALS FOR TAX ASSESSED VALUES 2022 FOR FISCAL YEAR 2022-2023 (FINANCE)

Andy Harvey, City Manager, introduced the item.

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

ITEM 8. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF CHRISTMAS DECORATIONS FOR THE PHARR INTERNATIONAL BRIDGE FROM ARNETT MARKETING, LLC OUT OF SAN ANTONIO, TEXAS THROUGH BUYBOARD #643-21 IN THE AMOUNT OF \$147,475.28 (BRIDGE)

Andy Harvey, City Manager, 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 CHANGE ORDER NO. 1 IN THE AMOUNT OF \$28,143.30, FINAL PAYMENT AND RELEASE OF RETAINAGE IN THE AMOUNT OF \$85,751.55 AND ACCEPTANCE OF THE CITY OF PHARR AQUATIC FACILITY MONUMENT SIGNAGE AS COMPLETE (ENGINEERING)

Andy Harvey, City Manager, introduced the item.

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

B) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NUMBER 3 IN THE AMOUNT OF \$ 29,080.12 AND AN ADDITIONAL 112 WORKING DAYS TO THE CONSTRUCTION CONTRACT WITH INTERNATIONAL CONSULTING ENGINEERS (ICE) FOR THE DONATIONS ACCEPTANCE PROGRAM (DAP) FISCAL YEAR 2015 PROJECTS (ENGINEERING)

Andy Harvey, City Manager, introduced the item.

Comm. Carrillo **moved** to approve. Comm. Medina 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.

C) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NUMBER 4 IN THE AMOUNT OF \$252,929.44 AND AN ADDITIONAL 223 WORKING DAYS TO THE CONSTRUCTION CONTRACT WITH INTERNATIONAL CONSULTING ENGINEERS (ICE) FOR THE DONATIONS ACCEPTANCE PROGRAM (DAP) FISCAL YEAR 2015 PROJECT (ENGINEERING)

Andy Harvey, City Manager, introduced the item.

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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.

D) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT FOR MUTUAL ACCESS TO CLOUDLIBRARY DIGITAL RESOURCES FOR THE PHARR MEMORIAL LIBRARY (LIBRARY)

Andy Harvey, City Manager, introduced the item.

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

E) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PHARR AND SOUTH TEXAS COLLEGE FOR CONTINUING EDUCATION UNITS FOR FIREFIGHTER RELATED TRAINING (FIRE)

Andy Harvey, City Manager, introduced the item.

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

F) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PHARR AND SOUTH TEXAS COLLEGE FOR CONTINUING EDUCATION UNITS FOR EMERGENCY MEDICAL SERVICES TRAINING (EMERGENCY MEDICAL SERVICES)

Andy Harvey, City Manager, introduced the item.

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

ITEM 10. LEGAL

A) CONSULTATION WITH CITY ATTORNEY AND ACTION, IF ANY, ON ANY OR ALL EMERGENCY MEDICAL SERVICE-BASED CONTRACTS (ADMINISTRATION)

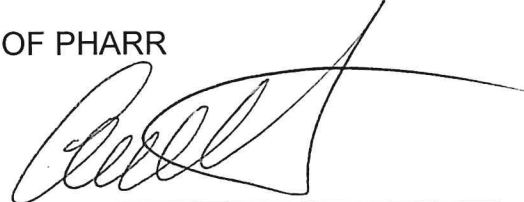
Andy Harvey, City Manager, introduced the item.

Comm. Guajardo **moved** approve as discussed in closed 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 5:20 p.m.

CITY OF PHARR



 AMBROSIO HERNANDEZ
 MAYOR

MINUTES: REGULAR CALLED MEETING
August 15, 2022

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 15th DAY OF AUGUST 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: September 6, 2022