

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, OCTOBER 17, 2022
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, October 17, 2022 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Pro Tem Daniel Chavez
Comm. Eleazar Guajardo
Comm. Roberto "Bobby" Carrillo
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: Mayor Ambrosio Hernandez
Comm. Ramiro Caballero

STAFF PRESENT: Anali Alanis, Interim City Manager
Edward Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Ruben Alfaro, City Engineer
Karla Saavedra, Finance Director
Veronica Ramirez, HR Director
Juan Villescas, Municipal Judge
Juan Gonzalez, Interim Police Chief
Pilar Rodriguez, Fire Chief
Roland Gomez, Code Compliance Director
Kimberly Mendoza, Dev. Svcs. Director
Rodrigo Davila, Public Works Director
Melanie Cano, OSE Director
Oscar De Leon, Public Utilities Asst. Dir.
Sergio Alanis, Parks & Rec. Director
Cynthia Garza, CDBG/External Affairs Dir.
Adolfo Garcia, Library Director
Rogelio Martinez, I.T. Asst. Director
Luis Bazan, Bridge Director
Ignacio Amezcua, Purchasing Director
Danny Ramirez, E.M.S. Chief
Marcela Beas, Chamber President
Yuri Gonzalez, Chief Comm. Officer
Sara Salinas, PS Communications

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

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

Juan Villescas, Municipal Court Judge, led the pledge of allegiance and said the invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING NOVEMBER 7-11, 2022 AS MUNICIPAL COURT WEEK

MINUTES: REGULAR CALLED MEETING
October 17, 2022

Comm. Carrillo read proclamation proclaiming November 7-11, 2022 as Municipal Court Week. Judge Juan Villegas and staff received the proclamation. Judge Villegas invited the community to visit the Municipal Court and thanked the Commission for the recognition.

B) PROCLAMATION PROCLAIMING OCTOBER 17-21, 2022 AS CHAMBER OF COMMERCE WEEK

Comm. Guajardo read proclamation proclaiming October 17-21, 2022 as Chamber of Commerce Week. Marcela Beas, President for the Greater Pharr Chamber of Commerce, Board members, and business owners received the proclamation. They thanked the Commission for the recognition and for their continued support.

ITEM 3. PUBLIC TESTIMONY

Pedro Garcia, Pharr Community Theater, spoke on agenda item 9.F. He briefly provided an update on their services and thanked the commission for their continued support.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Mayor Hernandez opened the public hearing. There being no comments from the public, the public hearing was closed.

ITEM 5. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR OCTOBER 2022

Anali Alanis, Interim City Manager, stated the year-to-date true growth was 10.22% compared to last year and 14.97% compared to last October 2021. She further stated Karla Saavedra, Finance Director, was in the audience and questions could be entertained at this time.

B) CITY EVENTS OF INTEREST

Anali Alanis, Interim City Manager, reported on upcoming events. She stated Pharr Fire Department Prevention Week festivities would be held on Thursday, October 27 from 6:00 p.m. to 9:00 p.m. at Pharr Vanguard Academy Nature and Birding Center. Mrs. Alanis stated there would be activities with firefighters, fire safety messages, games, and special appearances by Sparky the fire dog and Axe and Blaze the firefighters.

Anali Alanis, Interim City Manager, further reported the City of Pharr Tail of Terror would take place on October 21 and 22, 2022 and on October 24-30, 2022 from 7:00 p.m. to 10:30 p.m. at the Pharr Vanguard Academy and Birding Center. She said this was a ticketed event and admission was free.

Anali Alanis, Interim City Manager, also reported the Pharr Police Department would be hosting a Trunk or Treat on October 31, 2022 from 6:00 p.m. to 8:00 p.m. and a Haunted House would be held inside the lobby.

Lastly, Anali Alanis, Interim City Manager, reported the Salute to Veterans Parade and Fireworks display would take place on Saturday, November 5, 2022 at 4:30 p.m. in downtown Pharr. She stated the parade would begin at 4:30 p.m. and fireworks at 8:00 p.m.

ITEM 6. CONSENT AGENDA

- A) **APPROVAL OF MINUTES FOR OCTOBER 3, 2022 REGULAR CALLED MEETING (ADMINISTRATION)**
- B) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2019-36 FEE SCHEDULE FOR BUILDING PERMITS, PLAN REVIEW AND LAND USE DEVELOPMENT (3RD & FINAL READING). THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (BUILDING AND CODE COMPLIANCE)**
- C) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING THE CODE OF ORDINANCES ARTICLE V, SECTION 2-249 VITAL STATISTICS RECORDS FEES (2ND READING). THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)**
- D) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE REGARDING WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN STAGE 2 (2ND READING). THIS ITEM SUPPORTS QL - QUALITY OF LIFE (PUBLIC UTILITIES)**
- E) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE EXTENDING THE BOUNDARIES OF THE PRESENT CORPORATE LIMITS OF THE CITY OF PHARR, TEXAS AND ANNEXING NEW TERRITORY INTO THE CITY OF PHARR CONSISTING OF APPROXIMATELY 13.12 ACRES OF LAND, MORE OR LESS, OUT OF LOT 249, KELLY PHARR SUBDIVISION, GENERALLY LOCATED ON THE SOUTH SIDE OF WEST JAVELINA DRIVE, APPROXIMATELY 0.40 MILES EAST OF SOUTH JACKSON ROAD, EXTRATERRITORIAL JURISDICTION OF THE CITY OF PHARR, TEXAS. (2ND READING) THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)**
- F) **CONSIDERATION AND ACTION, IF ANY, ON STREET CLOSURE REQUEST FROM RICK'S QUICK STOP FOR THEIR ANNUAL CUSTOMER APPRECIATION DAY ON NOVEMBER 19, 2022 FROM 3:00 P.M. TO 6:00 P.M. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (ADMINISTRATION)**
- G) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM AMERICAN LEGION POST 101 FOR THE USAGE OF THE LARGE HALL AT THE JOSE "PEPE" SALINAS RECREATION CENTER FOR TWELVE (12) EVENTS DURING THE CALENDAR YEAR 2023. THIS ITEM SUPPORTS QL - QUALITY OF LIFE. (PARKS)**
- H) **Consideration and action, if any, on Development Services Cases:**
 - 1. RUBEN PACHECO REPRESENTING ENCARLEN, LTD, OWNER, REQUESTED A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) TO TOWNHOUSE RESIDENTIAL DISTRICT (R-TH). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.22 ACRES MORE OR LESS, OUT OF LOT 8, BLOCK 9, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 2500-2600 BLOCK OF SOUTH SALAMANCA STREET. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.
 - 2. RICH HERITAGE CONSTRUCTION INC. 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 0.28 ACRES, MORE OR LESS, OUT OF LOT 121, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 1506 WEST HERITAGE DRIVE. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.
 - 3. ELBOW'S MAC AND CHEESE TEXAS, LLC., 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 0.067 ACRES, MORE OR LESS, OUT OF LOT A, MEDICAL RIDGE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1401 SOUTH JACKSON ROAD, SUITES 3 & 4. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.

4. TROPICAL SNACKS LLC., D/B/A TROPICAL ISLAND REQUESTED A CONDITIONAL USE 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 LOT B1, NORTHPOINT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1911 NORTH VETERANS BOULEVARD. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.

5. I CAVAZOS MANAGEMENT, LLC., D/B/A TROPICAL ISLAND #2, 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 2B, RE-SUBDIVISION OF LOTS 2 & 3, JACKSON RIDGE COURT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1801 WEST RIDGE ROAD. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.

Anali Alanis, Interim City Manager, introduced the item.

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

Ordinance Nos. O-2022-43, O-2022-44, and O-2022-45 are filed with the City Clerk's office.

At this time, Mayor Pro Tem Chavez, stated they would deviate from the agenda and go to 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 4:21 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 4:54 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 7. ORDINANCES AND RESOLUTIONS:

- A) **CONSIDERATION, IF ANY, ON RESOLUTION AUTHORIZING THE CITY OF PHARR TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF STATE ROADWAYS FOR PUBLIC EVENTS. THIS ITEM SUPPORTS QL - QUALITY OF LIFE (ADMINISTRATION)**

Anali Alanis, Interim City Manager, introduced the item.

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

Resolution No. R-2022-38 is filed with the City Clerk's Office.

ITEM 8. PURCHASING

- A) **CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF PORTABLE RADIOS FOR THE FIRE DEPARTMENT FROM MOTOROLA SOLUTIONS UTILIZING HGAC CONTRACT RA05-21 IN THE AMOUNT OF \$60,363.65. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (FIRE)**

Anali Alanis, Interim City Manager, introduced the item.

Comm. Medina **moved** to approve. Comm. Flores 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 1 TO THE INTERLOCAL AGREEMENT WITH THE CITY OF ALAMO, CITY OF SAN JUAN, AND PHARR-SAN JUAN-ALAMO (PSJA) INDEPENDENT SCHOOL DISTRICT FOR THE PSJA TRI-CITY PEDESTRIAN SAFETY IMPROVEMENTS PROJECT PHASE I. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ENGINEERING)**

Anali Alanis, Interim City Manager, introduced the item.

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

- B) **CONSIDERATION AND ACTION, IF ANY, ON AMENDMENT NUMBER 6 IN THE AMOUNT OF \$39,124.25 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH STRUCTURAL ENGINEERING ASSOCIATES, INC. (SEA) FOR THE PHARR-REYNOSA BRIDGE EXPANSION PRESIDENTIAL PERMIT APPLICATION. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ENGINEERING)**

Anali Alanis, Interim City Manager, introduced the item.

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

- C) **CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NUMBER 1 IN THE AMOUNT OF \$37,288.96 FOR THE PURCHASE OF ONE CURRENT MODEL TRIPLE COMBINATION PUMPER FOR THE FIRE DEPARTMENT FROM SIDDONS MARTIN EMERGENCY GROUP, LLC, UTILIZING BUYBOARD CONTRACT NUMBER 651-21. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (FIRE)**

Anali Alanis, Interim City Manager, introduced the item.

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

- D) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO EXTEND THE SERVICE CONTRACT WITH DENALI WATER SOLUTIONS, LLC FROM RUSSELLVILLE, AR FOR SLUDGE MANAGEMENT SERVICES. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (PURCHASING)**

Anali Alanis, Interim City Manager, introduced the item.

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

MINUTES: REGULAR CALLED MEETING
October 17, 2022

- E) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO RENEW THE SERVICE CONTRACT WITH THE SECURITY CENTER, INC. FROM DALLAS, TEXAS FOR THE PREVENTATIVE MAINTENANCE OF THE DRIVE-THRU LANES AT CITY HALL AND COMMUNICATIONS SUB-STATION. THIS ITEM SUPPORTS SE - SERVICE EXCELLENCE (PURCHASING)**

Anali Alanis, Interim City Manager, introduced the item.

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

- F) **CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF AGREEMENT BETWEEN CITY OF PHARR AND THE PHARR COMMUNITY THEATRE FY2022-2023 THIS ITEM SUPPORTS QL - QUALITY OF LIFE (LIBRARY)**

Anali Alanis, Interim City Manager, introduced the item.

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

- G) **CONSIDERATION AND ACTION, IF ANY, RATIFYING RENEWAL OF LICENSE AGREEMENT BETWEEN CITY OF PHARR AND BERT OGDEN ARENA. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (ADMINISTRATION)**

Anali Alanis, Interim City Manager, introduced the item.

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

- H) **CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF INTERLOCAL AGREEMENT BETWEEN THE PHARR POLICE DEPARTMENT AND SOUTH TEXAS AUTO THEFT TASK FORCE. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (POLICE)**

Anali Alanis, Interim City Manager, introduced the item.

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

- I) **CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN HIDALGO POLICE DEPARTMENT AND PHARR POLICE DEPARTMENT OVER JURISDICTIONAL AND INTERAGENCY SUPPORT. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (POLICE)**

Anali Alanis, Interim City Manager, introduced the item.

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

- J) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH KYOCERA DOCUMENT SOLUTIONS SOUTHWEST, LLC OUT OF IRVING, TX FOR LEASED MULTI-FUNCTION PRINTERS INCLUDING MAINTENANCE PLAN FOR CITY DEPARTMENTS UTILIZING OMNIA PARTNERS CO-OP CONTRACT NUMBER R191102. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (IT)**

Anali Alanis, Interim City Manager, introduced the item.

MINUTES: REGULAR CALLED MEETING
October 17, 2022

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

- K) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CALIX, INC FOR THE IMPLEMENTATION OF SUPPORT CLOUD OPERATIONS SOFTWARE FOR TEAMPHARR.NET. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (IT)**

Anali Alanis, Interim City Manager, introduced the item.

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

- L) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AWARD REQUEST FOR PROPOSAL (RFP) FOR EXTERNAL FINANCIAL AUDITOR SERVICES FOR FISCAL YEAR 2021-2022. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (FINANCE)**

Anali Alanis, Interim City Manager, introduced the item and stated staff recommended Burton McCumber & Longoria, LLP.

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

- M) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH NSURE HEALTHCARE SERVICES, INC., PATIENT DEMOGRAPHIC SOFTWARE. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (EMERGENCY MEDICAL SERVICES)**

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 10. LEGAL:

- A) CONSIDERATION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN CLOSED SESSION RELATING TO THE PENDING LITIGATION CITY OF PHARR V. N. CAGE FOODS, LLC ET. AL., IN THE 92ND JUDICIAL DISTRICT COURT OF HIDALGO COUNTY, CAUSE NO. C-0078-21-A; AND XOTICAS RIO GRANDE VALLEY, L.P. V. CITY OF PHARR ET AL; IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS LAREDO DIVISION, CIVIL ACTION NO. 5:21-CV-00120 (LEGAL)**

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 12. 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 5:01 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

MINUTES: REGULAR CALLED MEETING
October 17, 2022

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 17th DAY OF OCTOBER 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: November 7, 2022