

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JANUARY 16, 2023
118 SOUTH CAGE 2ND FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, January 16, 2023 and following is the record of attendance.

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

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Anali Alanis, Interim City Manager
Ed 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
Ruben Rosales, Public Utilities Dir.
Isaac Escobedo, Asst. Parks & Rec. Director
Michael Vargas, External Affairs Asst. Dir.
Adolfo Garcia, Library
Fred Brouwen, Asst. Bridge Director
Daniel Ramirez, E.M.S. Chief
Marcela Beas, Chamber President
Yuri Gonzalez, Chief Comm. Officer
Kenneth Ennis, Public Safety Comm. 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.

B) PLEDGE OF ALLEGIANCE/INVOCATION

Kenneth Ennis, Public Safety Director, led the pledge of allegiance and said the invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING JANUARY 2023 AS HUMAN TRAFFICKING AWARENESS AND PREVENTION MONTH (POLICE)

Juan Gonzalez, Police Chief, and staff were present and thanked the Commission for the proclamation. Nancy Gonzalez, Human Trafficking Liaison, stated the Undertaking Against Human Trafficking event held on Saturday, January 14, 2023

MINUTES: REGULAR CALLED MEETING
January 16, 2023

had been a success and through events like these, they can help identify human trafficking. A video recap was presented.

Comm. Itza Flores read proclamation proclaiming January 2023 as Human Trafficking Awareness and Prevention Month and urged the residents to participate in events to educate themselves about all types of human trafficking.

ITEM 3. PUBLIC TESTIMONY

No one signed up to speak.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

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

B) PUBLIC HEARING: SOLICITATION OF COMMENTS FROM THE GENERAL PUBLIC ON THE VOLUNTARY ANNEXATION OF 17.425 ACRES OF LAND, MORE OR LESS, OUT OF LOTS 6 AND 7, OUT OF THE RE-SUBDIVISION OF CLOSER SUBDIVISION, GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH VETERANS BOULEVARD AND EAST MILITARY HIGHWAY, EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF PHARR, TEXAS. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

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

ITEM 5. CITY MANAGER'S REPORTS

A) CITY EVENTS OF INTEREST

Anali Alanis, Interim City Manager, reminded the public about the Community Health Talks. She stated these events were taking place from 10:00 a.m. to 11:00 a.m. on Wednesday, January 18, 2023 at the Jose "Pepe" Salinas Recreation Center and January 25, 2023 at the Pharr Development and Research Center. Mrs. Alanis stated the events were free and invited the community to attend.

Anali Alanis, Interim City Manager, reported the City of Pharr 114th Birthday Celebration would take place on Thursday, January 19, 2023 from 5:00 p.m. to 7:00 p.m. in downtown Pharr. She stated there would be cake, a pinata, music, and activities and extended an invitation to everyone to attend.

Anali Alanis, Interim City Manager, further reported the Greater Pharr Chamber of Commerce would be hosting a Worship Night Out event on Saturday, January 21, 2023 from 6:00 p.m. to 10:00 p.m. in downtown Pharr. Marcela Beas, Chamber President, approached the podium and stated there would be live music, food, market vendors and family activities.

B) SUBMISSION OF SALES TAX COLLECTION REPORT FOR JANUARY 2023

Anali Alanis, Interim City Manager, briefly reported the City of Pharr showed an increase of 2.55% year to date true growth compared to last year and stated Karla Saavedra, Finance Director, was present and questions could be entertained at this time.

MINUTES: REGULAR CALLED MEETING
January 16, 2023

Karla Saavedra, Finance Director, briefly stated the City of Pharr was under budget at this time.

ITEM 6. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR JANUARY 3, 2023 REGULAR CALLED MEETING. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)

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

1. SR. CRUDA CEVICHE AND MICHELADAS, LLC., REQUESTED RENEWAL OF THE 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 0.035 ACRES, MORE OR LESS, OUT OF LOT 1, TROPIC STAR COMMERCIAL PLAZA, PHASE I SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1501 SOUTH CAGE BOULEVARD, SUITE A. CUP#211065. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

2. TOPGOLF USA PHARR, LLC., REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS 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 A 1.27-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 1, TOP GOLF PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1901 WEST INTERSTATE HIGHWAY 2. CUP#170846. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)

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.

At this time, Mayor Hernandez 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 4:20 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 13. RECONVENE

The time being 5:10 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

Comm. Carrillo left the meeting at this point of the agenda. The time being 5:10 p.m.

REGULAR AGENDA - OPEN SESSION

ITEM 7. ORDINANCES AND RESOLUTIONS:

MINUTES: REGULAR CALLED MEETING
January 16, 2023

- A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE CITY OF PHARR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE COUNTY OF HIDALGO FOR THE SCOFFLAW PROGRAM. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (MUNICIPAL COURT)**

Anali Alanis, Interim City Manager, introduced the item.

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

Resolution No. R-2023-03 is filed with the City Clerk's office.

- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE APPOINTING A DEPUTY CITY ATTORNEY-PROSECUTOR FOR THE PHARR MUNICIPAL COURT (ADOPTION ON ONE READING). THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (LEGAL)**

Anali Alanis, Interim City Manager, introduced the item.

Comm. Guajardo moved to appoint Ricardo Rodriguez as Deputy City Attorney-Prosecutor for the Pharr Municipal Court. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Ricardo Rodriguez was present and thanked the Commission for the opportunity to serve the citizens of Pharr.

Ordinance No. O-2023-04 is filed with the City Clerk's Office.

- C) 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 17.425 ACRES OF LAND, MORE OR LESS, OUT OF LOTS 6 AND 7, OUT OF THE RE-SUBDIVISION OF CLOSER SUBDIVISION, GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH VETERANS BOULEVARD AND EAST MILITARY HIGHWAY, EXTRATERRITORIAL JURISDICTION OF THE CITY OF PHARR, TEXAS. (1ST READING) THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)**

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 8. ADMINISTRATIVE

- A) CONSIDERATION AND ACTION, IF ANY, ON PETITION FOR REQUEST FOR ELECTION SERVICES PURSUANT TO SECTION 31.095 OF THE ELECTION CODE. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (LEGAL)**

Anali Alanis, Interim City Manager, introduced the item.

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

- B) CONSIDERATION AND ACTION, IF ANY, ON SUBMISSION OF THE SUBSTANTIAL BUDGET AND PROGRAM AMENDMENT TO THE CITY OF PHARR'S ANNUAL ACTION PLAN FOR PROGRAM YEARS 2019 AND 2020 AND CITIZEN PARTICIPATION PLAN. THIS ITEM SUPPORTS QL - QUALITY OF LIFE (GMCD)**

MINUTES: REGULAR CALLED MEETING
January 16, 2023

Anali Alanis, Interim City Manager, introduced the item. She briefly stated comments were received during the comment period and were made part of the agenda packet.

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

C) CONSIDERATION AND ACTION, IF ANY, ON THE PROPOSED EXPENDITURE ALLOCATION BUDGET FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL TRANSPARENCY (FINANCE)

Anali Alanis, Interim City Manager, introduced the item and briefly stated this was for reallocation funds from the American Rescue Plan Act.

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

ITEM 9. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NUMBER ONE IN THE AMOUNT OF \$1,533.70 FOR THE PURCHASE OF SEVEN (7) MOBILE DATA TERMINALS FOR USE BY THE FIRE DEPARTMENT ON FRONT LINE FIRE APPARATUS FROM GTS TECHNOLOGY SOLUTIONS OUT OF AUSTIN, TX UTILIZING TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) COOPERATIVE PURCHASING CONTRACT FOR A REVISED PURCHASE AMOUNT OF \$83,244.92. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (FIRE)

Anali Alanis, Interim City Manager, introduced the item and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE PHARR POLICE DEPARTMENT TO PURCHASE 10 APX 6000 MOTOROLA PORTABLE RADIOS FROM MOTOROLA SOLUTIONS UTILIZING HGAC BUY CONTRACT NO. RA05-21. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (POLICE)

Anali Alanis, Interim 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 10. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, ON SERVICE AGREEMENT WITH THE DEAF AND HARD OF HEARING CENTER FOR SIGN LANGUAGE INTERPRETING SERVICES. THIS ITEM SUPPORTS QL - QUALITY OF LIFE (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.

MINUTES: REGULAR CALLED MEETING
January 16, 2023

- B) CONSIDERATION AND ACTION, IF ANY, ON AWARD OF A SUPPLY CONTRACT FOR THE PURCHASE OF STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT FOR THE FIRE DEPARTMENT TO MULTIPLE VENDORS. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (FIRE)**

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.

- C) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 1 IN THE AMOUNT OF \$598,863.20 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH COBB FENDLEY & ASSOCIATES, INC. FOR THE CITY-WIDE FIBER OPTIC PROJECT, TEAMPHARR.NET FOR ADDITIONAL SCOPE OF WORK (TABLED). THIS ITEM SUPPORTS IF - INFRASTRUCTURE. (IT)**

Anali Alanis, Interim City Manager, introduced the item and recommended the item remained tabled.

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

- D) CONSIDERATION AND ACTION, IF ANY, ON PROPERTY ACCESS AGREEMENT WITH DRAGADOS/PULICE JOINT VENTURE. THIS ITEM SUPPORTS QL - QUALITY OF LIFE (EMERGENCY MEDICAL SERVICES)**

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.

- E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO TERMINATE THE CONTRACT FOR SEWER CCN ASSISTANCE WITH FREESE AND NICHOLS INC. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (PUBLIC UTILITIES)**

Anali Alanis, Interim City Manager, introduced the item.

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

- F) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT WITH BICKERSTAFF HEATH DELGADO ACOSTA, LLP FOR LEGAL SERVICES FOR PHARR'S CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN). THIS ITEM SUPPORTS QL - QUALITY OF LIFE (ADMINISTRATION)**

Anali Alanis, Interim City Manager, introduced the item.

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

ITEM 11. LEGAL

- A) CONSULTATION WITH LEGAL AND ACTION, IF ANY, ON ATTORNEY GENERAL OPINIONS OR2022-39154 AND OR2022-38910 (ADMINISTRATION)**

Anali Alanis, Interim City Manager, introduced the item and recommended approval as discussed in closed session.

MINUTES: REGULAR CALLED MEETING
January 16, 2023

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

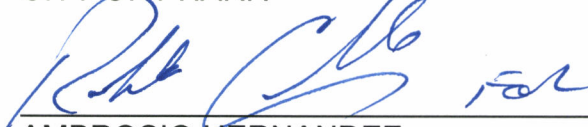
B) ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071, TEXAS GOV'T CODE TO RECEIVE LEGAL ADVICE IN PENDING LITIGATION STYLED AND NUMBERED, XOTICAS RGV, LP VS CITY OF PHARR, ET. AL., CASE NO. 5: 21-CV-00120 (USDC – SD – LAREDO DIVISION), AND RELATED LEGAL ISSUES (LEGAL)

Anali Alanis, Interim City Manager, introduced the item and stated no action was necessary.

ITEM 14. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:16 p.m.

CITY OF PHARR



 AMBROSIO HERNANDEZ
 MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 16th DAY OF JANUARY 2023 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: February 6, 2023