

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, FEBRUARY 19, 2024
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, February 19, 2024 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Michael Pacheco
Comm. Roberto Carrillo
Comm. Ramiro Caballero
Comm. Daniel Chavez
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Jonathan Flores, City Manager
David Friedlein, Assistant City Manager
Hilda Pedraza, ACM/City Clerk
Imelda Perez, Assistant City Clerk
Ruben Alfaro, City Engineer
Jamison Merrick, Interim Finance Director
Veronica Ramirez, Asst. HR Director
Juan Villescascas, Municipal Court Judge
Juan Gonzalez, Police Chief
Pilar Rodriguez, Fire Chief
Roy Rodriguez, Asst. Code Comp. Director
Kimberly Mendoza, Dev. Svcs. Director
Luis Marin, Public Works Director
Melanie Cano, O.S.E. Director
Ruben Rosales, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Adolfo Garcia, Library Director
Jose Pena, I.T. Director
Luis Bazan, Bridge Director
Mayra Gomez, Purchasing Director
Danny Ramirez, E.M.S. Chief
Yuri Gonzalez, Chief Comm. Officer
Sara Salinas, Asst. P. S. Comm. Dir.
Cynthia Gutierrez, Public Health Director

CITY ATTORNEY Ricardo Rodriguez, 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

Danny Ramirez, Chief of Emergency Medical Services, led the pledge of allegiance and said the invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING NATIONAL ENGINEERS WEEK

Jonathan Flores, City Manager, introduced the item.

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Ruben Alfaro, City Engineer, thanked the commission for recognizing National Engineers week and allowed each staff member to introduce themselves.

Comm. Chavez read proclamation proclaiming February 18 to 24, 2024 as National Engineers Week and presented proclamation to Engineering Department staff.

ITEM 3. PUBLIC TESTIMONY

There were no comments from the public.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

There were no comments from the public.

ITEM 5. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR FEBRUARY 2024. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (FINANCE)

Jonathan Flores, City Manager, introduced the item and briefly reported the City of Pharr showed an increase of 0.48% year to date true growth and a 0.01% increase compared to last year February 2022.

B) CITY EVENTS OF INTEREST

Jonathan Flores, City Manager, introduced the item.

Yuri Gonzalez, Chief Communications Officer, reported on upcoming It's Time Texas events. She stated a yoga event would take place on Wednesday, February 21, 2024 at P.S.J.A. North High School from 6:00 p.m. to 7:00 p.m. She further stated the Walk with the Mayor event would take place on Friday, February 23, 2024 at the P.S.J.A. Stadium at 5:30 p.m. and a Zumbathon would take place on Wednesday, February 28, 2024 at the Hub Parking Lot from 6:00 p.m. to 7:00 p.m.

Yuri Gonzalez, Chief Communications Officer, announced the 16th Annual St. Patrick's Day 5K Walk/Run would take place on Saturday, March 2, 2024 at 1000 S. Fir St. with race start time at 8:00 a.m. She encouraged the public to participate and stated information could be obtained by calling the Pharr Parks and Recreation Department

Yuri Gonzalez, Chief Communications Officer, presented a video recap of the Healthy Brain Initiative Grant and stated this initiative had caused a lot of traction on social media outlets placing the City of Pharr in a good spotlight.

Yuri Gonzalez, Chief Communications Officer, also presented video recaps of Valentine's Day weddings "Say I Do" and "Night Under the Stars" events that took place at our Pharr One – French Gardens.

Lastly, Yuri Gonzalez, Chief Communications Officer, presented video recap of the 2024 Stags Swim Meet Championship Event that was co-hosted by City of Pharr and Pharr-San Juan – Alamo Independent School District.

Sergio Alanis, Parks & Recreation Director, introduced Adam Diaz, Aquatics Supervisor and Coach Jonathan Landeros with P.S.J.A ISD. He further reported this was the first year they held this event and stated the event was a great success.

Jonathan Landeros, P.S.J.A ISD Coach, provided some statistics regarding the swim meet held and those swimmers participating in the competition. He stated this was a great Tri-City aquatics collaboration.

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ITEM 6. CONSENT AGENDA

- A) APPROVAL OF MINUTES FOR FEBRUARY 5, 2024 REGULAR CALLED MEETING. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2020-06 TO ADOPT NEW AND UPDATED PERSONNEL POLICIES. (2ND READING) THIS ITEM SUPPORTS SE - SERVICE EXCELLENCE (HR)**
- C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2021-38 TO ADOPT AN UPDATED PURCHASING POLICY MANUAL. (2ND READING) THIS ITEM SUPPORTS SE - SERVICE EXCELLENCE (PURCHASING)**
- D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ADOPTING A NEW PROCUREMENT CARD POLICY MANUAL. (2ND READING) THIS ITEM SUPPORTS SE - SERVICE EXCELLENCE (PURCHASING)**
- E) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN THE TEXAS DEPARTMENT OF PUBLIC SAFETY AND PHARR POLICE DEPARTMENT FOR CERTIFICATION OF COMMERCIAL VEHICLES AND WEIGHT ENFORCEMENT. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (POLICE)**
- F) CONSIDERATION AND ACTION, IF ANY, RATIFYING THE PURCHASE OF A 2024 MERCEDES SPRINTER VAN FOR \$82,491.88 FROM ED HICKS IMPORTS, LTD. FROM CORPUS CHRISTI, TX. THIS ITEM SUPPORTS SE - SERVICE EXCELLENCE (PURCHASING)**
- G) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:**
 - 1. THE CITY OF PHARR, OWNER, REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 3.4 ACRES, MORE OR LESS, OUT OF LOT 7, BLOCK 4, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS LOCATED AT 4800 NORTH JACKSON ROAD. COZ#240103 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.**
 - 2. CROSS DEVELOPMENT CC PHARR, LLC., REPRESENTING HEAVY INVESTMENTS, LTD., OWNER, REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 2.09 ACRES, MORE OR LESS, OUT OF LOTS 13 AND 14, L.R. BELL DEVELOPMENT "E" SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS LOCATED AT 1400 EAST FERGUSON AVENUE. COZ#240101 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.**
 - 3. DIANA L. BOJORQUEZ DE ROBLES, DBA ROYAL GARDEN, REQUESTED A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.21 ACRES, MORE OR LESS, OUT OF LOTS 12 AND 13, MACO BUSINESS CENTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 213 EAST FERGUSON AVENUE, SUITE C. CUP#240101 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.**
 - 4. AIESTY, INC., D/B/A SEOUL ASIAN MARKET, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.3 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 4A, REPLAT OF VACATED CARMEL SUBDIVISION, VACATED EL CENTRO SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 500 NORTH JACKSON ROAD, SUITE M. CUP#191272 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.**

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5. 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. 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.
6. SR. CRUDA CEVICHE AND MICHELADAS, LLC., REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION. 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.
7. MARISCOS EL MUELLE, LLC, D/B/A MUELLE 37, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.28 ACRES, MORE OR LESS, OUT OF LOT A, H E B FUTURAMA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1300 EAST BUSINESS HIGHWAY 83, SUITE 6. CUP#201258 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.
8. O & C BAR B QUE, LLC, D/B/A BAR B CUTIE SMOKEHOUSE, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 2B, PHARR COMMERCIAL PARK PHASE II SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 1933 WEST INTERSTATE 2. CUP#160633 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.
9. REGENCY HALL, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 10 AND 11, MACO BUSINESS CENTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 207 EAST FERGUSON AVENUE. CUP#161155 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY.

Jonathan Flores, City Manager, introduced the consent agenda and recommended approval.

Comm. Chavez moved to approve. Comm. Carrillo seconded the motion and when put to a vote, it carried by majority vote of six (6) ayes and one (1) abstention. Mayor Hernandez abstained from voting on Item 6-G1.

Ordinance Nos. O-2024-02 and O-2024-03 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 9. 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 4:28 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 10. RECONVENE

The time being 5:16 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

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REGULAR AGENDA - OPEN SESSION

ITEM 7. ORDINANCES AND RESOLUTIONS

- A) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE APPROVING THE EXTENSION OF THE BOUNDARIES OF TAX INCREMENT REINVESTMENT ZONE (TIRZ) #2. THIS ITEM SUPPORTS QL - QUALITY OF LIFE (ADMINISTRATION)**

Jonathan Flores, City Manager, introduced the item.

Comm. Carrillo **moved** to approve. Comm. Chavez seconded the motion and when put to a vote, it carried by majority vote of six (6) ayes and one (1) abstention. Comm. Pacheco abstained from voting.

Ordinance No. O-2024-04 is filed with the City Clerk's Office.

- B) **CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION IN SUPPORT OF CITRUS VILLAGE, L.P. TO SUBMIT AN APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR 2024 COMPETITIVE 9% HOUSING TAX CREDITS FOR CITRUS VILLAGE APARTMENTS. (TABLED) THIS ITEM SUPPORTS QL - QUALITY OF LIFE (ADMINISTRATION)**

Jonathan Flores, City Manager, introduced the item.

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

At this time, Mayor Hernandez called upon Noel De Leon from Pharr Housing Authority.

Noel De Leon, Pharr Housing Authority Director, and Donna Rickenbacker, Citrus Village Development Representative approached the podium and introduced themselves.

Mr. De Leon provided information regarding tax exemption, business transaction, and communication with the business developer.

Comm. Pacheco asked Ms. Rickenbacker if Citrus Village was not partnering with Pharr Housing Authority, it would be a taxable asset. Ms. Rickenbacker agreed and stated it could be a taxable development. Additionally, she stated there were ways to work with Pharr Housing Authority and there was tax revenue generated from this development.

Mayor Hernandez stated the City of Pharr would support the project with the understanding that if the City was compromised with property taxes, the City will not support the project.

After some discussion, Comm. Carrillo **moved** to approve with contingencies as stated by the commission. Comm. Chavez seconded the motion and when put to a vote, it carried by majority vote of six (6) ayes and one (1) abstention. Comm. Pacheco abstained from voting.

Resolution No. R-2024-10 is filed with the City Clerk's Office.

- C) **CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DESIGNATING MEMBERS TO THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION (RGVMPO). THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)**

Jonathan Flores, City Manager, introduced the item.

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Comm. Pacheco moved to designate Comm. Chavez as secondary alternate member and Ruben Alfaro, City Engineer, as proxy to the Rio Grande Valley Metropolitan Planning Organization. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2024-11 is filed with the City Clerk's Office.

- D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DECLARING EIGHT (8) VEHICLES FROM THE PHARR POLICE DEPARTMENT FLEET AS SURPLUS PROPERTY AND AUTHORIZING THE SALE OF SAID VEHICLES, VIA GOVDEALS.COM. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (POLICE)**

Jonathan Flores, City Manager, introduced the item.

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

Resolution No. R-2024-12 is filed with the City Clerk's Office.

- E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION, SERIES 2024, FOR THE DESIGN, ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF CERTAIN PUBLIC WORKS, AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO. THIS ITEM SUPPORTS IF - INFRASTRUCTURE. (ADMINISTRATION)**

Jonathan Flores, 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-2024-13 is filed with the City Clerk's Office.

ITEM 8. CONTRACTS/AGREEMENTS

- A) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 3 WITH ASAGO CONSTRUCTION, LLC FOR THE AMOUNT OF \$12,647.34 AND AN ADDITIONAL 158 WORK WEEK DAYS FOR THE PSJA TRI-CITY SIDEWALK SAFETY PEDESTRIAN IMPROVEMENTS PHASE I (ENGINEERING)**

Jonathan Flores, City Manager, introduced the item.

Mayor Hernandez asked staff why extension was needed for this project.

Ruben Alfaro, City Engineer, briefly stated there was an issue with the relocation of utilities along Sugar Road and this caused a project delay.

There being no further discussion, Comm. Chavez moved to approve. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

- B) CONSIDERATION AND ACTION, IF ANY, ON RELEASE OF FINAL PAYMENT AND RETAINAGE IN THE AMOUNT OF \$125,109.57 TO CASTLE ENTERPRISES, LLC AND ACCEPTANCE OF THE FIR AVENUE PAVING IMPROVEMENTS PROJECT AS COMPLETE (ENGINEERING)**

Jonathan Flores, City Manager, introduced the item.

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

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- C) **CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PHARR AND NUEVA LUZ FOUNDATION FOR THE IMPLEMENTATION OF A WELLNESS PROGRAM FOR PHARR EMPLOYEES. THIS ITEM SUPPORTS QL - QUALITY OF LIFE (ADMINISTRATION)**

Jonathan Flores, City Manager, introduced the item.

Comm. Carrillo **moved** to approve. Comm. Caballero seconded the motion and when put to a vote, it carried by majority vote of six (6) ayes and one (1) abstention. Comm. Pacheco abstained from voting.

- D) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO A SERVICE CONTRACT SUBSCRIPTION WITH CARBYNE, INC. FROM NEW YORK, NY FOR NEXT GENERATION VIDEO FOR 9-1-1 SERVICES FOR PHARR PUBLIC SAFETY COMMUNICATIONS (NPPGOV COOPERATIVE PURCHASING PROGRAM AND CONTRACT NO. PS20300). THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (PURCHASING)**

Jonathan Flores, City Manager, introduced the item.

Comm. Chavez **moved** to approve. Comm. Carrillo seconded the motion.

Comm. Medina asked why staff was recommending a business from New York. Sara Salinas, Public Safety Communications Assistant Director, stated contract subscription was priced the lowest and it was through cooperative purchasing program.

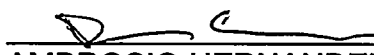
Jonathan Flores, City Manager, briefly stated the service would allow first responders to view the location of 911 callers and the City of Pharr would be the first in the valley to obtain this technology.

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

ITEM 11. ADJOURNMENT

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:33 p.m.

CITY OF PHARR


AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 19th DAY OF FEBRUARY 2024 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.

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ATTEST:



HILDA PEDRAZA, CITY CLERK

APPROVED: March 4, 2024