

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, DECEMBER 18, 2017
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, December 8, 2017 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. Daniel Chavez
Comm. Ricardo Medina
Comm. Mario Bracamontes

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Omar Anzaldúa, City Engineer
Gary Rodriguez, Events Center Director
Karla Moya, Finance Director
Rodolfo Martinez, Municipal Court Judge
Anali Alanis, HR Director
Joe Luengo, Interim Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Dev. Services Director
Rick Pedraza, Public Works Director
Jose Villescas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library
Luis Bazan, Bridge Director

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 BODY

Mayor Hernandez called the meeting to order at 4:07 p.m. Roll call established a quorum.

B) PLEDGE OF ALLEGIANCE/INVOCATION

Juan G. Guerra, City Manager, led in the pledge of allegiance and Luis Bazan, Bridge Director, said the invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING MELDEN & HUNT, INC. DAY

Mayor read proclamation proclaiming December 18, 2017 as Melden & Hunt Day. He stated Melden & Hunt was a leader in Engineering, Surveying, and Consulting Services in the Rio Grande Valley and celebrated 70 years of professional talent and exceptional service.

Mario Reyna received the proclamation and thanked the Commission for the recognition.

ITEM 3. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Gabriel Reyna was not present.

Kenneth Fletcher stated he was trying to find out if Costco indeed had 80 employees employed as per contract. He also spoke about Vanguard interlocal agreement for Nature Park and stated trees would be taken care of. Lastly, he voiced his concern with trees destroyed at a drainage ditch in the city's right-of-way.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 4. CITY MANAGER'S REPORTS

A) SUBMISSION OF DECEMBER 2017 SALES TAX REPORT (FINANCE)

Juan G. Guerra, City Manager, reported sales tax were down 1.17% but annually were up by over 2%.

B) SUBMISSION OF NOVEMBER 2017 CERTIFIED TAX COLLECTION REPORT (FINANCE)

Juan G. Guerra, City Manager, stated delinquent taxes were down 0.24% and current taxes were down 0.86%.

C) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, reported the Greater Pharr Chamber of Commerce would host a ribbon cutting of Victor Garcia Park Improvements on Tuesday, December 19, 2017 at 205 West Polk. He stated the project was funded by Valley Baptist Legacy Foundation and the park would now have exercise stations, new basketball courts, and several other amenities.

Juan G. Guerra, City Manager, reported PSJA North Early College High School would be celebrating the Grand Opening of Gilberto Zepeda Jr. Performing Arts Center on Wednesday, December 20, 2017 at 500 E. Nolana. A special show of this year's show The Lion King will be held Saturday, December 23, 2017 as part of the celebration. All tickets proceeds of the last show would go to the Gilberto Zepeda, Jr. scholarship fund.

Juan G. Guerra, City Manager, went over the upcoming events at the Pharr Events Center for the month of December. He further reported due to weather conditions on Saturday, December 16, 2017, Movies at the Park was moved to Thursday, December 21, 2017 at Lorenzo "Lore" Garcia Park.

ITEM 5. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR NOVEMBER 20, 2017 REGULAR CITY COMMISSION MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2017-50 (RENTAL OF CITY FACILITIES) 2ND READING (PARKS)

C) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM SOUTH TEXAS AGRICULTURE ROUNDUP GALA COMMITTEE TO WAIVE FEES FOR THE USE OF THE PHARR EVENTS CENTER ON SATURDAY, JANUARY 20, 2018 FOR THEIR ANNUAL SCHOLARSHIP FUNDRAISER (EVENTS CENTER)

D) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM TXDOT FOR WAIVER OF FEES TO USE PHARR EVENTS CENTER THURSDAY FEBRUARY 8, 2018 FOR ANNUAL SAFETY AWARDS BANQUET (EVENTS CENTER)

E) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD TO WAIVE FEES FOR USE OF PHARR EVENTS CENTER ON MONDAY, JANUARY 15, 2018 FOR FEMALE EMPOWERMENT CONFERENCE (EVENTS CENTER)

F) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD FOR WAIVING OF RENTAL FEES OF PHARR EVENTS CENTER FOR WEDNESDAY, JANUARY 31, 2018 FOR 2018 DISTRICT CAREER FAIR (EVENTS CENTER)

G) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PHARR COMMUNITY THEATER FOR WAIVING OF FEES FOR USE OF PHARR EVENTS CENTER ON TUESDAY, DECEMBER 19, 2017 FOR PRESENTATION OF A TEJANO CHRISTMAS CAROL PLAY (EVENTS CENTER)

H) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PHARR HOUSING AUTHORITY FOR WAIVING OF FEES FOR PHARR EVENTS CENTER ON FRIDAY, DECEMBER 22, 2017 FOR A MERRY LITTLE CHRISTMAS PRESENTATION SUBJECT TO PHARR HOUSING AUTHORITY REIMBURSING THE CITY OF PHARR OPERATING COSTS FOR STAFFING AND SECURITY (EVENTS CENTER)

I) CONSIDERATION AND ACTION, IF ANY, REQUEST FROM HIDALGO COUNTY ELECTIONS DEPARTMENT FOR USE OF THE SOUTH PHARR DEVELOPMENT AND RESEARCH CENTER AS EARLY VOTING AND ELECTION DAY POLLING LOCATION FOR THE UPCOMING PRIMARY, PRIMARY RUNOFF, AND GENERAL ELECTIONS (ADMINISTRATION)

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

1. JUANITA MUÑOZ, REPRESENTING IGLESIA CENTRO DE PODER DE DIOS, REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A CHURCH IN A GENERAL BUSINESS DISTRICT (C).THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.05 ACRE TRACT OF LAND, MORE OR LESS OUT OF LOT 1, PAMAAD SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 1603 NORTH CAGE BOULEVARD, SUITES 4, 5 AND 6. CUP# 171161

2. TERESA FLORES, REPRESENTING HIDALGO COUNTY HEAD START PROGRAM (LONGORIA HEAD START), REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN INSTITUTIONAL USE (SCHOOL) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1).THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 9.05 ACRE TRACT OF LAND, MORE OR LESS OUT OF LOT 142, KELLY-PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 2500 NORTH CYPRESS STREET. CUP# 171162

3. TERESA FLORES, REPRESENTING HIDALGO COUNTY HEAD START PROGRAM (PALACIOS HEAD START), REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN INSTITUTIONAL USE (SCHOOL) IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) AND HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (R-4).THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, THOMAS ROAD ELEMENTARY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 801 EAST THOMAS ROAD. CUP# 171163

4. TERESA FLORES, REPRESENTING HIDALGO COUNTY HEAD START PROGRAM (CARMEN ANAYA HEAD START), REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN INSTITUTIONAL USE (SCHOOL) HEAD START IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O).THE PROPERTY IS LEGALLY DESCRIBED AS BEING 18.56 ACRE TRACT OF LAND, MORE OR LESS OUT OF LOT 327, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 1000 WEST DICKER ROAD. CUP# 171164

5. MUY PIZZA-TEJAS, LLC, DBA PIZZA HUT, 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 THE EAST 125.0' OUT OF BLOCK 1, PALM HEIGHTS SUBDIVISION, PHARR, HIDALGOCOUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 1001 WEST HIGHWAY 83. CUP# 171165

6. MARGARITAS MEXICAN GRILL AND CANTINA, INC. 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 0.06 ACRE TRACT OF LAND, MORE OR LESS OUT OF LOT 2, CVS PHARMACY NO. 10142 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 1305 SOUTH CAGE BOULEVARD, SUITES 1 AND 2. CUP# 171166

PLATS:

1. JAVIER HINOJOSA ENGINEERING, REPRESENTING ZARAGOZA HINOJOSA JR., REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED HRES-CK PHARR SUBDIVISION PHASE I.THE PROPERTY IS LEGALLY DESCRIBED AS A TRACT OF LAND CONTAINING 2.23 ACRES OF LAND AND ALSO BEING A PART OR PORTION OF LOTS 13, L.R. BELL DEVELOPMENT "E" SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY IS LOCATED WITHIN THE 1100 AND 1200 BLOCK OF EAST FERGUSON AVENUE SUB #170102

Juan G. Guerra, City Manager, introduced the items and recommended approval.

Comm. Carrillo moved to remove item J.1 for further discussion and approve all other items under consent agenda. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

J) 1. JUANITA MUÑOZ, REPRESENTING IGLESIA CENTRO DE PODER DE DIOS, REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A CHURCH IN A GENERAL BUSINESS DISTRICT (C).THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.05 ACRE TRACT OF LAND, MORE OR LESS OUT OF LOT 1, PAMAAD SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 1603 NORTH CAGE BOULEVARD, SUITES 4, 5 AND 6 CUP# 171161

Juan G. Guerra, City Manager, introduced the item.

Melanie Cano, Development Services Director, briefly explained the church was an active church and stated they currently had a Conditional Use Permit. She stated they acquired a suite next to them and they were expanding for an office space.

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Comm. Carrillo moved to approve item J.1. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2016-44 RELATING TO THE NUMBER OF AUTHORIZED CIVIL SERVICE POSITIONS WITHIN THE FIRE AND POLICE DEPARTMENT ADOPTION ON 1ST READING (HR)

Juan G. Guerra, City Manager, introduced the item and briefly stated police officers positions were increased by two and sergeant positions were increased by one. He further recommended approval.

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

Ordinance No. O-2017-55 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING O-2016-42 (PHARR RESIDENTIAL INCENTIVE PROGRAM) ADOPTION ON 1ST READING (DEVELOPMENT SERVICES)

Juan G. Guerra, City Manager, introduced the item and stated the purpose of the amendment was to increase the requirements for single-family lots from 6,500 square feet to 10,000 square feet and the home appraised value would be \$225,000 or 2,500 square feet of gross living area. He further recommended approval.

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

Ordinance No. O-2017-56 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-94-11 RELATING TO METER DEPOSITS AND THEIR REIMBURSEMENT CRITERIA 1ST READING (FINANCE)

Juan G. Guerra, City Manager, introduced the item and recommended approval.

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

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ADOPTING THE UPDATED CITY FISCAL POLICIES (FINANCE)

Juan G. Guerra, City Manager, introduced the item and recommended approval.

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

Resolution No. R-2017-94 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO CONTRACTS FOR THE CITY'S HUB PHESTIVAL (ADMINISTRATION)

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Juan G. Guerra, City Manager, introduced the item and recommended approval subject to legal constraints and budgetary constraints.

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

Resolution No. R-2017-95 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, AWARDED BID FOR CAPITAL LEASE FINANCING FOR FY 2017-2018 (FINANCE)

Juan G. Guerra, City Manager, introduced the item and recommended US Bancorp.

Comm. Medina **moved** to award bid to US Bancorp. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

B) CONSIDERATION AND ACTION, IF ANY, AWARDED BID FOR EXECUTIVE SEARCH SERVICES FOR POLICE CHIEF RFP NO. 1718-01-526-0001

Juan G. Guerra, City Manager, introduced the item and recommended Springsted Waters at \$24,500.

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

C) CONSIDERATION AND ACTION, IF ANY, ON NOMINATIONS FOR THE 2018 RIO GRANDE VALLEY WALK OF FAME (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and briefly stated Comm. Carrillo was nominated in 2017 and Mayor Hernandez was nominated in 2016.

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

ITEM 8. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, ON K9 POLICING AGREEMENT BETWEEN VALLEY VIEW INDEPENDENT SCHOOL DISTRICT AND CITY OF PHARR. (POLICE)

Juan G. Guerra, City Manager, introduced the item and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT BETWEEN THE CITY OF PHARR AND VANGUARD ACADEMY FOR CITY/SCHOOL PARK (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and recommended approval.

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

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At this time, Mayor Hernandez, stated they would deviate from the agenda and go into closed session. There was no objection.

ITEM 10. CLOSED SESSION

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 4:24 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 11. RECONVENE

The time being 5:20 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 6. ORDINANCES AND RESOLUTIONS

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ADOPTING A NEW CITY SEAL (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and stated no action would be taken at this time.

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; ESTABLISHING FAIR MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATE FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDING BY CITY ATTORNEY, CONTINGENT ON AVAILABLE FUNDING (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and recommended approval as discussed in closed session.

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

Resolution No. R-2017-96 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

D) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FOR RESIDENTIAL INCENTIVE PROGRAM FOR THE PROPERTY LEGALLY DESCRIBED AS BEING A RE-SUBDIVISION OF 17.727 ACRES OUT OF LOT 90, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS (DEVELOPMENT SERVICES)

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Juan G. Guerra, City Manager, introduced the item and recommended approval as discussed in closed session.

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

E) CONSIDERATION AND ACTION, IF ANY, ON OFF-DUTY EMPLOYMENT POLICY FOR CITY OF PHARR EMPLOYEES (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and recommended approval as discussed in closed session.

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

ITEM 9. LEGAL

A) CONSULTATION WITH LEGAL AND POSSIBLE ACTION ON ACCESS EASEMENT AGREEMENT WITH IDEA PUBLIC SCHOOLS (LEGAL)

Juan G. Guerra, City Manager, introduced the item and stated no action would be taken at this time.

B) CONSULTATION WITH LEGAL AND POSSIBLE ACTION ON LEASE AGREEMENT (LEGAL)

Juan G. Guerra, City Manager, introduced the item and stated staff recommended to authorize legal to encourage remedy with Boys & Girls Club.

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

C) CONSULTATION WITH LEGAL AND POSSIBLE ACTION ON ENVIROLITE SOLUTIONS (LEGAL)

Juan G. Guerra, City Manager, introduced the item and recommended approval as discussed in closed session.

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

ITEM 11. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Carrillo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:22 p.m.

CITY OF PHARR



 AMBROSIO HERNANDEZ
 MAYOR

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**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR**

ON THIS THE 18th DAY OF DECEMBER 2017 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: January 2, 2018