

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, MARCH 20, 2017 AT 5:00 P.M.
118 SOUTH CAGE 2ND FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, March 20, 2017 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Roberto Carrillo
Comm. Edmund Maldonado
Comm. Ricardo Medina

BOARD OF COMMISSIONERS ABSENT: Mayor Pro-Tem Oscar Elizondo, Jr.
Comm. Mario Bracamontes

STAFF PRESENT: Juan G. Guerra, City Manager
Hilda Pedraza, City Clerk
Imelda Barrera, Asst. City Clerk
Gary Rodriguez, Events Center Dir.
Maria Rangel, Engineering
Karla Moya, Finance Director
Anali Cantu, HR Director
Ruben Villescas, Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Development Services Dir.
Roy Garcia, Public Works Director
David Garza, Public Utilities Dir.
Roel Garza, Parks & Rec. Dir.
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jason Arms, I.T. Director
Luis Bazan, Bridge Director
Victor Perez, PEDC Director

CITY ATTORNEY Patricia Rigney, Attorney

ITEM 1 CALL TO ORDER:

Mayor Hernandez called the meeting to order at 5:05 p.m. Roll Call established a quorum.

A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER OF THE GOVERNING BODY

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

B) PLEDGE OF ALLEGIANCE / INVOCATION

Juan G. Guerra, City Manager, led in the pledge of allegiance and David Garza said the prayer.

ITEM 2 PROCLAMATIONS:

A) PROCLAMATION PROCLAIMING NATIONAL COMMUNITY DEVELOPMENT WEEK (GRANTS MANAGEMENT & COMMUNITY DEVELOPMENT)

Mayor Hernandez read proclamation proclaiming the week of April 17, 2017 to April 22, 2017 as National Community Development Week. Ruben Solis, Community Development Council member, received the proclamation.

Raul Garza, CDBG Director, thanked the Board for the proclamation and invited everyone to attend CDBG Day Celebration on Wednesday, April 19, 2017 at City Hall lobby area. He stated during this event the City of Pharr will give special thanks and recognition to all participants for their hard work and devotion to the low and moderate-income residents.

B) PROCLAMATION PROCLAIMING FAIR HOUSING MONTH (GRANTS MANAGEMENT & COMMUNITY DEVELOPMENT)

Mayor Hernandez read proclamation proclaiming the month of April 2017 as Fair Housing Month. Noel De Leon, Pharr Housing Authority Executive Director, accepted the proclamation.

ITEM 3 CITY MANAGER’S REPORTS: (CITY MANAGER’S ADMINISTRATIVE REPORTS AND DISCUSSION, IF ANY, WITH GOVERNING BODY. THE CITY MANAGER MAY ALSO ASSIGN A DESIGNATED SPOKESPERSON FOR ANY PARTICULAR LISTED TOPIC)

- A) SUBMISSION OF FEBRUARY 2017 TAX COLLECTION REPORT (FINANCE)**
- B) SUBMISSION OF MARCH 2017 SALES TAX REPORT (FINANCE)**
- C) CITY EVENTS OF INTEREST (ADMINISTRATION)**

Juan G. Guerra, City Manager, introduced the Tax Collection Report for February 2017 and stated both current and delinquent taxes were up. He then introduced the Sales Tax Report for March 2017 and stated sales tax were up. He also stated this was positive for the fiscal year.

Juan G. Guerra, City Manager, introduced the City Events of interest and reported a U.S. Small Business free informational seminar would be held at the Pharr Memorial Library on Thursday, March 30, 2017 from 10:00 a.m. to 11:30 a.m. He also reported a ribbon cutting for Big River Brewery would take place on Wednesday, April 12, 2017 at 4:00 p.m. at 505 W. Nolana.

Juan G. Guerra, City Manager, stated the Texas Department of Transportation would be holding an open house to present the proposed improvements for the Interchange at Interstate 2 and Interstate I-69 on Thursday, March 30, 2017 from 4:00 p.m. to 7:00 p.m. He stated the event would take place at the Boggus Ford Events Center and invited the public to attend. Lastly, he reminded everyone the Hub Phestival will take place on Saturday, March 25, 2017 starting at 2:00 p.m. to midnight and a cover charge of \$5.00 will be collected starting at 5:00 p.m.

ITEM 4 PUBLIC COMMENTS/PUBLIC HEARINGS:

A) PUBLIC COMMENTS: (ORDINANCE NO. O-2015-28)

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

Reynaldo Rey Flores spoke about the ambulance service and voiced his concern with current ambulance service not having MICU only ALS. He stated we needed the same service as provided in other cities and it is imperative to keep services with MICU as we had before.

At this time, Patricia Rigney, City Attorney, called upon Lenny Perez, Fire Chief to clarify concern. Chief Perez stated there was an error in the contract and it would be amended to include MICU Units.

Crisanto Garcia voiced his concern with dust issues at his property and stated something needed to be done as soon as possible. He also mentioned monies should be given to the police department to hire more police officers.

At this time, Mayor Hernandez, called upon Ruben Villescas, Police Chief, and asked, for clarification, if his department was under staffed. Chief Villescas responded no. He stated there were 132 authorized sworn positions and as per civil service contract approved two years ago, raises were given for the next three (3) consecutive years.

KC Fletcher stated some City of Pharr right-of-way areas between Minnesota and Owassa Road could be used as walking trails to attract nature tourism. He briefly mentioned he survived two heart attacks within six months and also requested MICU Units.

Jack Arnold, 810 W. Minnesota Road, thanked the City of Pharr for their vision and cooperation in conjunction with the school district for the construction of the Alan William Arnold Elementary School. Mr. Arnold went over the family history and stated the Arnold Family Citrus Farms located at Sugar Road and Nolana would be 100 years old next year. He stated the Arnold Family encouraged and embraced successful development that benefits the citizens of Pharr. At this time, it was not their intention to develop the Arnold Family Farm but understands communication with the City of Pharr was essential and stated the family would like to develop a master plan for their citrus farm. He further voiced their concern with future development of their property and asked for consideration of their beautiful and green space.

Jose Martinez voiced his concern with a strip of land located in the drainage ditch that needed to be cleaned and cleared of brush. He suggested to keep the trees and to build a buffer fence to prevent noise.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES: (ORDINANCE NO. O-2015-28)

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

KC Fletcher spoke about item L2, the new residential development, and stated native trees should be kept to support wildlife to attract eco-tourism such as birds and butterflies. He also mentioned restaurant staff did not wear their nametags.

ITEM 5 CONSENT AGENDA: *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

A) APPROVAL OF MINUTES FOR MARCH 6, 2017 CITY COMMISSION REGULAR CALLED MEETING (ADMINISTRATION)

B) APPROVAL OF MINUTES FOR MARCH 13, 2017 CITY COMMISSION SPECIAL CALLED MEETING (ADMINISTRATION)

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2009-08, CHAPTER 50, ARTICLE III, AMBULANCES - 2ND READING (FIRE)

D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2015-23 SECTION 18 OF THE CODE OF ORDINANCES, ADOPTING PROVISIONS RELATED TO TETHERING AND CONFINEMENT; QUARANTINED METHOD AND TESTING OF ANIMALS - 2ND READING (PUBLIC WORKS)

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING VICTOR PEREZ, PEDC II EXECUTIVE DIRECTOR, TO EXECUTE ANY CONTRACTS AND OTHER INSTRUMENTS ON BEHALF OF PHARR ECONOMIC DEVELOPMENT CORPORATION II (PHARR ECONOMIC DEVELOPMENT CORPORATION II)

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT. (FINANCE)

G) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM ST. MARGARET MARY CHURCH FOR CITY ASSISTANCE FOR THE RE-ENACTMENT OF THE WAY OF THE CROSS ON SUNDAY, APRIL 2, 2017 FROM 9:00 A.M. TO 10:30 A.M. (ADMINISTRATION)

H) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM ST. MARGARET MARY CHURCH FOR CITY ASSISTANCE FOR THE RE-ENACTMENT OF THE WAY OF THE CROSS ON FRIDAY, APRIL 14, 2017 FROM 12:00 P.M. TO 1:00 P.M. (ADMINISTRATION)

I) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM U.S. CUSTOMS AND BORDER PROTECTION FOR THE USE OF THE BOGGUS FORD EVENTS CENTER ON TUESDAY, APRIL 4, 2017 FOR THEIR AWARDS AND RECOGNITION CEREMONY (EVENTS CENTER)

J) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR TRAFFIC SIGNAL IMPROVEMENTS AT VETERANS BLVD./KELLY AVE. AND VETERAN'S BLVD./ELDORA ROAD (ENGINEERING)

K) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR VEHICLE SERVICE CENTER SERVICES TO ASSIST CITY GARAGE (ADMINISTRATION)

L) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY OF PHARR TO PARTICIPATE IN OPERATION CLEAN SWEEP ON APRIL 25, 2017 IN COLLABORATION WITH THE CITIES OF MCALLEN, EDINBURG, SAN JUAN, ALAMO, MISSION, AND HIDALGO COUNTY PRECINCT 2 (PUBLIC WORKS)

PUBLIC HEARINGS:

1. RAUL FONG, D/B/A D'S PARADISE LOUNGE, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A BUSINESS DISTRICT (C-2). THE PROPERTY IS LEGALLY DESCRIBED AS LOT 14, BLOCK 1, J. T. DOSTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 107 EAST NEWCOMBE AVENUE (PARK). CUP#040213

2. SHAVI MAHTANI/DOMAIN DEVELOPMENT, REPRESENTING THE ALLEN AND LETITIA ARNOLD FAMILY PARTNERSHIP, REQUESTED A CHANGE OF ZONE FROM AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A TRACT OF LAND CONTAINING 33.070 ACRES, MORE OR LESS, OUT OF LOT 87, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 5400 BLOCK OF NORTH SUGAR ROAD. COZ#170211

3. RENE CAMPOS, REPRESENTING PHARR-SAN JUAN-ALAMO ISD REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN INSTITUTIONAL USE IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 8, FORD'S SUBDIVISION AND ALL OF LOTS 1 AND 8, BLOCK 1, MCDANIEL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 325 WEST JONES AVENUE. CUP#170213

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

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

Ordinance No. O-2017-11 and Resolution Nos. R-2017-22 and R-2017-23 are filed with the City Clerk's Office.

REGULAR AGENDA – OPEN SESSION:

ITEM 6 ADMINISTRATIVE:

A) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FOR PERMISSION TO BEGIN DESIGNING OPTIONS TO UPGRADE THE CITY SEAL (ADMINISTRATION)

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 1 IN THE AMOUNT OF \$66,397.80 FOR THE PHARR INTERNATIONAL BRIDGE SEALED EXPANSION JOINT REPAIR (ENGINEERING)

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

Comm. Medina voiced his concern with the metals being corrosive. Juan G. Guerra, City Manager, this was routine maintenance and the bridge was safe.

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

C) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PHARR CENTER CHURCH TO HOLD THEIR GOOD FRIDAY AT THE PARK EVENT ON FRIDAY, APRIL 14, 2017 FROM 5:00 P.M. TO 8:00 P.M. AT WILLIAM LONG ELEMENTARY/CITY PARK AT 1000 E. ELDORA ROAD (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item. He explained the Church was requesting city resources, such personnel and equipment, for their event but employees would be off that date due to being a holiday. In addition, there was no proper planning and adequate parking as per Police Chief; therefore, staff was recommending denial.

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

ITEM 7 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY OF PHARR POLICE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH SOUTH TEXAS COLLEGE POLICE DEPARTMENT (POLICE)

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH FABIAN PACHECO FOR THE FAILURE TO ATTEND PROJECT AT PSJA ISD AS THE PHARR POLICE DEPARTMENT SCHOOL RESOURCES ATTENDANCE LIAISON (POLICE)

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

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

ITEM 8 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

None.

ITEM 9 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN CLOSED SESSION

None.

ITEM 10 ADJOURNMENT:

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:39 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 20TH DAY OF MARCH 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: April 3, 2017