MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JANUARY 15, 2018
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, January15, 2018 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 Anzaldua, City Engineer Gary Rodriguez, Events Center Director Karla Moya, Finance Director Rodolfo Martinez, Municipal Court Judge Bea Fuentes, HR Coordinator 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 Jose Pena, I.T. Director Luis Bazan, Bridge Director Sandra Zamora, Purchasing 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 4:12 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 CHILDREN'S ADVOCACY CENTER OF HIDALGO COUNTY DAY

Mayor Pro Tem Carrillo read proclamation proclaiming February 17, 2018 as Children's Advocacy Center, Estrella's House.

Lorena Castillo, President of Children's Advocacy Center, thanked the Board for the recognition and introduced Jesus Sanchez, Interim Executive Director, and Pat Blum, Events

Coordinator. Ms. Castillo went over their services and reported last year they served 1,337 of which 113 were from the City of Pharr. She further thanked Police Chief and his staff for their support and for making an impact on the children's lives. At this time, Ms. Castillo extended an invitation to the Board to attend their Annual Fundraiser Vinos event on Saturday, February 17, 2018 at the Embassy Suites Convention Center in McAllen.

ITEM 3. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Kenneth Fletcher thanked the City of Pharr for the wonderful opening of the new South Pharr Development and Research Center. Mr. Fletcher voiced his concern with the HVAC system at Costco making more noise and spoke about public hearings. He stated he was a member of the American Planning Association and stated their bylaws for ethics were very specific concerning public hearings. Lastly, he spoke about change of zone agenda item 5.N.4 and stated he was for the business.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 4. CITY MANAGER'S REPORTS

A) SUBMISSION OF JANUARY 2018 SALES TAX REPORT (FINANCE)

Juan G. Guerra, City Manager, introduced the sales tax report and stated sales tax were up at 14% being the highest in the region.

B) SUBMISSION OF DECEMBER 2017 TAX COLLECTION REPORT (FINANCE)

Juan G. Guerra, City Manager, introduced the tax collection report for the month of December and stated both current and delinquent taxes were down by 1% and 2% respectively.

C) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, invited everyone to attend the City's 109th Birthday party celebration on Thursday, January 18, 2018 at the Pharr Events Center. He stated the event was from 5:00 p.m. to 8:00 p.m. and it was free to the public. There will also be a City Hall on Call with directors from each department on hand to answer questions and listen to the public's concerns.

Juan G. Guerra, City Manager, reported the STAR Gala event would be held on Saturday, January 20, 2018 from 6:00 p.m. to 12:00 midnight at the Pharr Events Center. Mr. Guerra further reported Public Works would be conducting an animal vaccination clinic on Saturday, January 20, 2018 at Public Works, 1015 E. Ferguson and on Saturday, January 27, 2018 at Jaime Escalante Middle School at 6123 S. Cage Blvd. from 1:00 p.m. to 3:00 p.m. He stated the cost was $8.00 for rabies vaccine and $2.00 for city tag. This would be for Pharr residents only.

Juan G. Guerra, City Manager, also reported the City of Pharr would be hosting the RGV Chapter TSCPA Leadership and Ethics courses on Friday, February 9, 2018 at Pharr City Hall from 8 a.m. until 12:00 noon. Those interested should contact the Texas Society of CPA-RGV Sector Director at 956-546-1772.

Lastly, Juan G. Guerra, City Manager, announced the 12th Annual St. Patrick's Day 5K Run/Walk would take place on Saturday, March 17, 2018 beginning with the kids' 1-mile run at 8:00 a.m., followed by the 5K at 9:00 a.m. He stated the races would start and end at the

PSJA Stadium, with the awards ceremony immediately after the conclusion of the race. Fees are $5.00 for kids and $15.00 for adults and registration is available online at the City's website and in person at the Parks and Recreation offices located at 413 E. Clark.

ITEM 5. CONSENT AGENDA

A) **APPROVAL OF MINUTES FOR DECEMBER 28, 2017 SPECIAL CALLED MEETING AND JANUARY 2, 2018 REGULAR CALLED MEETING (ADMINISTRATION)**

B) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-94-11 RELATING TO METER DEPOSITS AND THEIR REIMBURSEMENT CRITERIA 3RD AND FINAL READING (FINANCE)**

C) **CONSIDERATION AND ACTION, IF ANY, TO ALLOW A CARNIVAL AND FUN FAIR TO BE HELD FEBRUARY 1-11, 2018 AT 1701 N. CAGE AND WAVE APPLICATION FEES (FIRE)**

D) **CONSIDERATION AND ACTION IF ANY, ON REQUEST FROM ST. MARGARET'S CHURCH CCE PROGRAM FOR ASSISTANCE WITH TRAFFIC CONTROL DURING THEIR RE-ENACTMENT OF THE STATIONS OF THE CROSS ON SUNDAY, FEBRUARY 25, 2018 (POLICE)**

E) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST TO PARTICIPATE ON THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) 2019 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM COMMERCIAL MOTOR VEHICLE GRANT # 2019-PHARRPD-S-CMV-00018 (POLICE)**

F) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST TO PARTICIPATE ON THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) 2019 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM COMPREHENSIVE GRANT # 2019-PHARRPD-S-1GY-00049 (POLICE)**

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

H) **CONSIDERATION AND ACTION, IF ANY, ON SPONSORSHIP FOR CHILDREN'S ADVOCACY CENTER OF HIDALGO COUNTY VINOS FUNDRAISER FOR $1,500 (ADMINISTRATION)**

I) **CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NUMBER 2 AND FINAL RECONCILIATION OF QUANTITIES FOR THE JACKSON ROAD AND CAGE BLVD. RAISED MEDIANS CONSTRUCTION PROJECT (BID NUMBER 1617-01-528-0027) (ENGINEERING)**

J) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR THE TRAFFIC SIGNAL LOOP DETECTOR REPLACEMENT PROJECT (ENGINEERING)**

K) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR A SUPPLY CONTRACT FOR THE PURCHASE OF FUEL FOR THE PUBLIC WORKS DEPARTMENT (PUBLIC WORKS)**

L) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR COMPETITIVE SEALED BIDS FOR THE PURCHASE OF 2018 CITY FLEET UNITS AND RELATED EQUIPMENT (PURCHASING)

M) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR COMPETITIVE SEALED BIDS FOR THE PURCHASE OF TEN (10) 2018 POLICE PURSUIT SUVS AND RELATED EQUIPMENT (PURCHASING)

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

1. XOTICAS REQUESTED RENEWAL OF THE SEXUALLY ORIENTED BUSINESS LICENSE IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS A 0.6081-ACRE TRACT OF LAND OUT OF LOT 100, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 4502 NORTH CAGE BOULEVARD. SOB#010105

2. REGENCY HALL REQUESTED RENEWAL OF THE 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 LOTS 10 AND 11, MACO BUSINESS CENTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 207 EAST FERGUSON AVENUE. CUP#161155

3. EVANGELINA GONZALEZ REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN OVERSIZED STORAGE UNIT (12' X 16', 10' IN HEIGHT) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 51, SOL BRILLA SUBDIVISION PHASE I, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 619 WEST ALBATROSS AVENUE. CUP#171269

4. DAVID H. MECK, DIRECTOR, REPRESENTING MECK ENTERPRISES, INC., REQUESTED A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) TO HEAVY-COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, MECK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1400 WEST WARREN STREET. COZ#171270

Juan G. Guerra, City Manager, introduced the items and requested to remove item 5.B from the consent agenda and approve items 5.A, and 5.C through 5.N.4.

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

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-94-11 RELATING TO METER DEPOSITS AND THEIR REIMBURSEMENT CRITERIA 3RD AND FINAL READING (FINANCE)

Juan G. Guerra, City Manager, introduced the item. He briefly stated the first two readings of the ordinance stated that after two (2) years of continuous service and good payment history, meter deposits would be refunded but he recommended one (1) year instead of (2) years.

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

Ordinance Nos. O-2018-02 and O-2018-03 are filed with the City Clerk's Office.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING TWO (2) MEMBERS TO THE PHARR POLICE DEPARTMENT TRAINING ADVISORY BOARD (POLICE)

Juan G. Guerra, City Manager, introduced the item and stated staff recommended Francisco Nunez and Uvaldo Gutierrez.

Comm. Medina **moved** to appoint Francisco Nunez and Uvaldo Gutierrez to the Pharr Police Department Training Advisory Board. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2018-03 is filed with the City Clerk's Office.

B) 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 (MUNICIPAL COURT)

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

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

Resolution No. R-2018-04 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION EXECUTING AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE PHARR/REYNOSA INTERNATIONAL BRIDGE- 2ND EXIT TO BORDER SAFETY INSPECTION FACILITY PROJECT, CSJ: 0921-02-383 (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item. He stated the estimated project cost was approximately $135,000 and recommended approval.

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

Resolution No. R-2018-05 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION EXECUTING AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE PHARR/REYNOSA INTERNATIONAL BRIDGE-COMMERCIAL NORTHBOUND TRUCK ENTRANCE LANES PROJECT, CSJ: 0921-02-385 (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and stated the estimated project cost was approximately $136,700. He further recommended approval.

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

Comm. Medina asked if total cost of these two projects was $5 million. Juan G. Guerra, City Manager, responded yes but the majority of the funds would be grant monies. He briefly explained the city was an Economic Disadvantaged Community and EDC grants allow the city to provide only 3% to 5% of the project cost.

The motion was put to a vote and it carried unanimously.

Resolution No. R-2018-06 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING CITY MANAGER TO NEGOTIATE, SECURE AND OBTAIN A WATER AND SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) WITHIN ITS EXTRATERRITORIAL JURISDICTION PURSUANT TO CHAPTER 13 OF THE TEXAS WATER CODE (ADMINISTRATION)

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

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

Resolution No. R-2018-07 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR CERTAIN PROJECTS AND SERVICES (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item. He stated this resolution would allow him to advertise for certain projects in order to streamline the process without seeking Commission approval and added no decisions would be made by City Manager only the authority to advertise.

Sandra Zamora, Purchasing Director, explained the current policy states that all projects that require formal sealed bids be presented to the Commission prior to advertising. She stated once bids are received and tabulated, staff would present their recommendation to Commission for final approval.

After some discussion, Comm. Carrillo **moved** to deny. Mayor Hernandez seconded the motion and when put to a vote, it carried unanimously.

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DECLARING THE PURCHASE/INSTALLATION OF NEW LIGHT POLES AT WITTEN PARK AND PHARR SPORTS COMPLEX AS AN "EMERGENCY PURCHASE/INSTALLATION", AS WHERE THE CITY MANAGER BE AUTHORIZED TO NEGOTIATE AND APPROVE AN AWARD OF CONTRACT NOT TO EXCEED THE BUDGET AMOUNT (PARKS)

Juan G. Guerra, City Manager, introduced the item and briefly stated an engineer had inspected the light poles at the baseball fields and had certified they were in dire need of repair prior to the commencement of baseball season. He further stated the budget amount was $350,000 and recommended approval.

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

Resolution No. R-2018-08 is filed with the City Clerk's Office.

H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) MEMBER TO THE PHARR ECONOMIC DEVELOPMENT CORPORATION II BOARD OF DIRECTORS (PEDC II)

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

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

ITEM 7. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, WAIVING ALL FEES FOR ST. JUDE THADDEUS CHURCH 5K RUN/WALK ON SATURDAY, FEBRUARY 17, 2018 (PARKS)

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

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

ITEM 8. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON PURCHASE OF A NARCOTICS DETECTION CANINE (POLICE)

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

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

ITEM 9. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT 2-YEAR EXTENSION BETWEEN CITY OF PHARR AND HIDALGO COUNTY HEAD START PROGRAM FOR CENTERS LOCATED AT 714 ZAPATA AVE. (LAS MILPAS I HEAD START CENTER) AND 415 E. CLARK (PHARR HEAD START CENTER). (ADMINISTRATION)

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

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE PHARR POLICE DEPARTMENT TO ENTER INTO MEMORANDUM OF AGREEMENT WITH UNITING NEIGHBORS IN DRUG ABUSE DEFENSE (UNIDAD) COALITION, A MEMBER OF THE BEHAVIORAL HEALTH SOLUTIONS OF SOUTH TEXAS (POLICE)

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

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH R. GUTIERREZ ENGINEERING CORPORATION FOR PROFESSIONAL SURVEYING SERVICES FOR THE JONES BOX PARK WEST EXPANSION PROJECT (ENGINEERING)

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

Comm. Medina **moved** to approve. Comm. Bracamontes 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 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 4:36 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 5:35 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 7. ADMINISTRATIVE

B) CONSIDERATION AND ACTION, IF ANY, ON CITY'S ORGANIZATIONAL STRUCTURE (ADMINISTRATION)

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

C) CONSIDERATION AND ACTION, IF ANY, ON PROJECT SOPHIA (ADMINISTRATION)

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

D) CONSIDERATION AND ACTION, IF ANY, ON PROJECT "E" (ADMINISTRATION)

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

ITEM 10. LEGAL

A) CONSULTATION WITH LEGAL AND POSSIBLE ACTION ON ENVIROLITE SOLUTIONS (ADMINISTRATION)

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

ITEM 13. 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 5:35 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 15th DAY OF JANUARY 2018 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 5, 2018