MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, FEBRUARY 5, 2018
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, February 5, 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 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 Jose Pena, I.T. Director Luis Bazan, Bridge Director Victor Perez, PEDC Director Sandra Zamora, Purchasing Director Daniel Ramirez, Communications 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 BODY

Mayor Hernandez called the meeting to order at 4:01 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. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Kenneth Fletcher thanked Mayor Hernandez for the State of the City Address being at no charge to the citizens and taxpayers. He further stated he signed up for public hearing and mentioned public hearings were important to inform the elected officials about any issues within the city. Mr. Fletcher briefly spoke on agenda item 8.B and stated the detention pond area was still not up to code. He further stated Costco had their sprinklers on while it was raining and two vehicles parked in the fire lanes. Mr. Fletcher further stated he noticed some violations at Stilletos such a vehicle parked on an unpaved surface acting as a sign as well as no screenings to garbage and grease traps in back area. Lastly, he stated this was the advantage of having the public help out city staff.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 3. CITY MANAGER'S REPORTS

A) CITY ENGINEER'S REPORT

Juan G. Guerra, City Manager, stated City Engineer was in the audience and questions could be entertained at this time. There were no questions.

B) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, reported on upcoming events by the Greater Pharr Chamber of Commerce. He announced a groundbreaking ceremony for the new City of Pharr and PSJA Parks would take place on Thursday, February 8, 2018 at 11:00 a.m. at 613 W. Eldora Rd. He mentioned this was a partnership between the city and the school district to build and renovate Allen & Williams Arnold Elementary City/School Park and Dr. William Long Elementary City/School Park to enhance the quality of life for our residents and provide better access for recreational activities.

Juan G. Guerra, City Manager, reported a groundbreaking ceremony for the Pharr Nature and Birding Center would take place on Tuesday, February 13, 2018 at 11:00 a.m. at 1025 S. Birch Street. He stated the City of Pharr and Vanguard Academy have joined forces to help create and maintain this park.

Juan G. Guerra, City Manager, also reported a ribbon cutting for the European Wax Center would take place on February 20, 2018 at 11:00 a.m. at the Pharr Town Center and an Appreciation Golf Tournament for our Winter Texan Community on February 26, 2018 at 9:00 a.m. at Tierra Del Sol Golf Course. He stated there were thirty (30) teams already registered and our Winter Texan community was excited for another successful tournament.

Lastly, Mr. Guerra announced the Pharr Events Center would be having a Snowbird Extravaganza on February 6 and 7, 2018 and invited all Winter Texans to attend this free event.

ITEM 4. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR JANUARY 15, 2018 REGULAR CALLED MEETING AND JANUARY 24, 2018 SPECIAL CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION, IF ANY, RATIFYING RESOLUTION NO. R-2018-09 AUTHORIZING THE PHARR FIRE DEPARTMENT TO APPLY FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY-ASSISTANCE TO FIREFIGHTERS GRANT FOR PUBLIC SAFETY RADIOS (FIRE)

C) **CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF SOUTH U.S. 281 AND EAST OLD BUSINESS 83 FOR THE 12TH ANNUAL ST. PATRICK'S DAY 5K RUN/WALK ON SATURDAY, MARCH 17, 2018 FROM 7:00 A.M. TO 11:00 A.M. (PARKS)**

D) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST TO CLOSE STREETS FOR THE 12TH ANNUAL ST. PATRICK'S DAY RUN/WALK ON SATURDAY, MARCH 17, 2018 FROM 7:00 A.M. TO 11:00 A.M. (PARKS)**

E) **CONSIDERATION AND ACTION, IF ANY ON WAIVING ALL GREEN FEES FOR P-SJ-A ISD GOLF TOURNAMENT ON SATURDAY, FEBRUARY 3, 2018 (PARKS)**

F) **CONSIDERATION AND ACTION, IF ANY, ON VIVA FRESH SUMMIT SPONSORSHIP AND BOOTH FOR $10,000 (BRIDGE)**

G) **CONSIDERATION AND ACTION, IF ANY, ON PMA FRESH SUMMIT ANNUAL CONFERENCE TEXAS TOWN PAVILION FOR $8,600 (BRIDGE)**

H) **CONSIDERATION AND ACTION, IF ANY, RATIFYING DONATION OF $7,500 TO UTRGV ATHLETICS PROGRAM (ADMINISTRATION)**

I) **CONSIDERATION AND ACTION, IF ANY, ON RGV CHAPTER TSCPA SPONSORSHIP FOR PROFESSIONAL EDUCATION COURSES (HR)**

J) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD FOR WAIVING OF RENTAL FEES TO USE THE PHARR EVENTS CENTER ON TUESDAY, FEBRUARY 13, 2018 FROM 12:00 PM - 3:00 PM FOR THE PTI VALENTINE'S DANCE (EVENTS CENTER)**

K) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD TO WAIVE RENTAL FEES TO USE THE PHARR EVENTS CENTER ON WEDNESDAY, MAY 2, 2018 FOR THE PSJA TSTEM ECHS ANNUAL BANQUET; WEDNESDAY, MAY 9, 2018 FOR THE PSJA SOUTHWEST ECHS ANNUAL BANQUET; MONDAY, MAY 14, 2018 FOR THE PSJA NORTH ECHS ANNUAL BANQUET; TUESDAY, MAY 15, 2018 FOR THE PSJA ECHS ANNUAL BANQUET; WEDNESDAY, MAY 16, 2018 FOR THE PSJA MEMORIAL ECHS ANNUAL BANQUET; AND WEDNESDAY MAY 26, 2018 FOR THE PSJA THOMAS JEFFERSON TSTEM ECHS GRADUATION (EVENTS CENTER)**

L) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD FOR WAIVING OF RENTAL FEES TO USE THE PHARR EVENTS CENTER ON TUESDAY, MAY 1, 2018 FROM 6:30 AM - 4:30 PM TO HOST THE M.O.V.E. EVENT (EVENTS CENTER)**

M) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM STAR GALA BOARD OF DIRECTORS TO WAIVE RENTAL FEES TO USE PHARR EVENTS CENTER ON MARCH 3, 2018 FOR STAR PREMIUM SALE FUNDRAISER (EVENTS CENTER)**

N) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL TO WAIVE RENTAL FEES TO USE PHARR EVENTS CENTER ON WEDNESDAY, FEBRUARY 14, 2018 FROM 1:00 PM - 5:00 PM FOR RGV2020 STAKEHOLDER FORUM (EVENTS CENTER)**

O) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM MIGRANTS IN ACTION TO WAIVE RENTAL FEES TO USE THE PHARR EVENTS CENTER ON WEDNESDAY, MARCH 28, 2018 FROM 8:30 AM - 2:30 PM FOR THE 2018 MIGRANT STUDENT CONFERENCE (EVENTS CENTER)

P) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM AMERICAN CANCER SOCIETY TO WAIVE RENTAL FEES TO USE PHARR EVENTS CENTER FOR THE ANNUAL CATTLE BARONS BALL FUNDRAISER ON SATURDAY, SEPTEMBER 22, 2018 (EVENTS CENTER)

Q) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR THE CITY OF PHARR INTERNATIONAL BRIDGE FACILITY EXPANSION AND RENOVATIONS PROJECT (ENGINEERING)

R) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NUMBER 3 FOR THE SOUTH PHARR DEVELOPMENT & RESEARCH CENTER (PART A) AND EXHIBIT HALL (PART B) (BID NUMBER 1617-01-528-0021) (ENGINEERING)

S) CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF DEDICATED INTERNET ACCESS SERVICE WITH WEBVISION FOR CAMERAS IN MEXICO (BRIDGE)

T) CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF A 2-YEAR MAINTENANCE AGREEMENT FOR THE PHARR FIRE DEPARTMENT'S HAZARDOUS MATERIALS MONITORS THAT ARE UTILIZED AT EMERGENCY RESPONSES (FIRE)

U) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AMEND CONTRACT WITH R. GUTIERREZ ENGINEERING CORPORATION FOR PROFESSIONAL SURVEYING SERVICES FOR THE PSJA TRI-CITY PEDESTRIAN SAFETY IMPROVEMENTS PROJECT (C1617-01-528-0070) (ENGINEERING)

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

1. RED TAPE II, INC., D/B/A STILETTOS GENTLEMEN'S CLUB REQUESTED RENEWAL OF THE SEXUALLY ORIENTED BUSINESS LICENSE IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS ALL OF LOT 2, ALBRAD SUBDIVISION UNIT #3, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 1050 NORTH SUGAR ROAD. SOB# 001254

2. MAURICIO JARAMILLO, D/B/A REGENCY FIESTA, 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 1.01 ACRES OUT OF LOT 152, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1020 WEST FERGUSON AVENUE. CUP# 071271

PLATS:

1. J.E. SAENZ & ASSOCIATES, INC., REPRESENTING BERHARDO J. GUBSER, PRESIDENT OF GALLUS PROPERTIES LTD., REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED TRANSMARITIME SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 17.87 ACRE TRACT OF LAND BEING A PORTION OF LOT SEVEN (7), BLOCK ONE (1), A RE-SUBDIVISION OF CLOSNER SUBDIVISION OF PORCION 70, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 901 E. MILITARY HWY. SUB# 130410 (

Juan G. Guerra, City Manager, introduced the items, requested to remove item 4.E and table item 4.V-1 from the consent agenda, and recommended approval of the remaining items.

Comm. Medina voiced his concern with the fire protection inspection report on item 4.V.1 and asked why it was struck-off and why it was required. Melanie Cano, Development Services Director, stated the actual report was done that way but overall it did pass inspection. Lenny Perez, Fire Chief, stated he would need to go back and look at report to see why it was done that way to provide an answer.

There being no further comments, Comm. Medina **moved** to approve item 4.V.1 as recommended. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

E) CONSIDERATION AND ACTION, IF ANY ON WAIVING ALL GREEN FEES FOR P-SJ-A ISD GOLF TOURNAMENT ON SATURDAY, FEBRUARY 3, 2018 (PARKS)

Juan G. Guerra, City Manager, re-introduced item 4.E and stated with the strong partnership with PSJA, staff recommended approval of waiving the fees for this item. He then called upon Sergio Alanis, Parks & Recreation Director, to report on the peak days and peak months.

Sergio Alanis, Parks & Recreation Director, stated the weekends were the peak days and the peak months were the times when the Winter Texans were here. Comm. Medina stated Saturdays were the busiest days and anyone wanting to play a tournament should be charged regular fees and no waiving of fees should be considered.

Comm. Caballero stated the city does many projects with PSJA and asked if it was something that would affect us in any way. Mayor Hernandez stated the commission would like to know what the economic impact was and asked Mr. Alanis for financial information.

Juan G. Guerra, City Manager, stated the city lends out the Pharr Events Center to PSJA whenever they request it excluding Thursday, Friday and Saturday so the city has a similar type of contract. However, Mr. Guerra stated staff would provide a fiscal review report on how that would work for the Golf Course at the next City Commission meeting.

There being no further comments, Juan G. Guerra, City Manager, recommended approval of item 4.E.

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

REGULAR AGENDA - OPEN SESSION

ITEM 5. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2014-17 ADDRESSING THE AQUATIC CENTER FEE STRUCTURE (GMCD)

Juan G. Guerra, City Manager, introduced the item and stated fees would be reduced as per HUD recommendations. He further recommended approval.

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

Ordinance No. O-2018-04 is filed with the City Clerk's Office.

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

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

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

Juan G. Guerra, City Manager, stated staff recommended Jerry Munoz.

Comm. Caballero **moved** to appoint Jerry Munoz to the Pharr Economic Development Corporation II Board of Directors. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2018-11 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ALLOWING PARTICIPATION WITH THE INTERLOCAL PURCHASING SYSTEM (TIPS) COOPERATIVE CONTRACTS (PURCHASING)

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

Sandra Zamora, Purchasing Director, stated an agreement was in place since 2009 and needed to be updated. She further stated there was an item on the agenda to utilize the program for the Asbestos Abatement project.

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

Resolution No. R-2018-12 is filed with the City Clerk's Office.

ITEM 7. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO USE THE INTERLOCAL PURCHASING SYSTEM (TIPS) PURCHASING COOPERATIVE TO NEGOTIATE AND APPROVE A CONTRACT FOR THE ASBESTOS ABATEMENT OF THE JOSE "PEPE" SALINAS CIVIC CENTER (PARKS)

Juan G. Guerra, City Manager, introduced the item and briefly stated the Civic Center was a 40-50 year old building and there are some asbestos in various areas of the building. Therefore, asbestos abatement was required.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE WARREN GROUP, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE CONCEPTUAL DESIGN AND MASTER PLANNING OF THE NORTH SIDE OF THE DEVELOPMENT AND RESEARCH CENTER/YOUTH ACTIVITY CENTER (ENGINEERING)

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

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

C) CONSIDERATION AND ACTION, IF ANY, AMENDING INTER-LOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF PHARR AND PHARR-SAN JUAN-ALAMO INDEPENDENT SCHOOL DISTRICT ON THE AQUATIC CENTER (GMCD)

Juan G. Guerra, City Manager, introduced the item and stated this was part HUD's recommendations 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 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 4:17 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.

Comm. Carrillo arrived at this time being 4:20 p.m.

ITEM 10. RECONVENE

The time being 5:04 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 6. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON ENTERTAINMENT FOR HUBFEST 2018 (ADMINISTRATION)

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

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

ITEM 8. LEGAL

A) CONSULTATION WITH LEGAL AND POSSIBLE ACTION ON INITIATING LITIGATION CONCERNING COLONIA ESTRELLA LOT 77 (LEGAL)

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

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

B) CONSULTATION WITH LEGAL AND POSSIBLE ACTION CONCERNING FINAL PAYMENT TO FJW CONSTRUCTION COMPANY, LLC AND SETTLEMENT AGREEMENT (LEGAL)

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

Comm. Medina **moved** to approve. Comm. Carrillo 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. Medina **moved** to adjourn. Comm. Carrillo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:05 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 5th DAY OF FEBRUARY 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 19, 2018