

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, MARCH 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, March 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 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
Jose Pena, I.T. Director
Luis Bazan, Bridge 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 4:00 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 spoke on Ordinance O-2014-21. He stated the ordinance was against the law to have any political signs on any right-of-way and stated Code Compliance staff were told not to enforce the ordinance. Lastly, Mr. Fletcher stated he signed-up for public hearing and stated he had every right to comment since he was part of the public and lives within the jurisdiction.

Crisanto Garcia, residing at 3700 Silver Lane, voiced his concern with dust issues in his area. He stated he had been told trailers would be moving out in December but they were still at the location. He stated he had been provided with false information and only wanted to know what was going on. He added he was not against the City but he was against management. Mr. Garcia also voiced his concern with traffic going through his neighborhood. He stated traffic being was being forced to turn right when exiting the school and asked the Commission to consider placing a traffic light on Eldora Road or re-route traffic.

Allen Williams, residing at 750 W. Sam Houston, stated he was very excited about the Nature Park coming into the city of Pharr. He stated he had a conversation with Mayor Hernandez about a year ago and Mayor had referenced the Nature Park as the Amphitheatre Park. Mr. Williams stated he understood the Mayor was very excited about an Amphitheatre coming in and he was sure citizens in the community were as well. However, he wanted to bring an emphasis on economic and educational value that nature has and briefly spoke about a 2004 article by Richard Moore, Birds and Bucks, and taking advantage of the birds that come to the valley. He stated native plants bring birds to the valley and went over the many benefits of mesquite trees.

Diana Smith stated the National Day of Prayer would take place on Thursday, May 3, 2018 at 12:00 noon at Pharr City Hall parking lot and extended an invitation to everyone to participate. Mrs. Smith also introduced Pastor Armando Vera with Poder De Dios Church to share a few words and a quick prayer.

At this time, Mayor Hernandez clarified issues with noise and light at Costco and now TopGolf. He stated the projects were not complete but the issues would be addressed. He further spoke on city parks and stated the City had partnerships with PSJA ISD, Valley View ISD, Hidalgo ISD, Vanguard Academy and IDEA Schools. He stated he welcomed all comments and stated the Parks Advisory Committee was doing a great job. Mayor Hernandez mentioned he would always care for the citizens' wellbeing but the Commission was the ultimate authority to make decisions on infrastructure and partnerships with our school districts. Lastly, he stated the City of Pharr was very thankful with the National Day of Prayer and they were very excited to participate once again.

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) PRESENTATION BY LINEBARGER GOGGAN BLAIR AND SAMPSON, LLP OF DELINQUENT TAX COLLECTION REPORT FOR THE PERIOD OF OCTOBER 2017 THROUGH JANUARY 2018

Juan G. Guerra, City Manager, introduced item.

Michael Cano, Tax Attorney for Linebarger Goggan Blair and Sampson LLP, presented the first quarter delinquent tax report for the months of October 2017 thru January 2018. Mr. Cano reported they had four hundred thirty-two (432) pending litigations as of February 2018 in the amount of \$653,976 and went over the year-to-date comparison information and historical graph information included in the agenda

MINUTES: REGULAR CALLED MEETING
MARCH 5, 2018

packet. Overall, Michael Cano reported the City of Pharr had a healthy tax collection rate.

C) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, reported PEDC II would be hosting a One Year Anniversary Ribbon Cutting event for 5 Star Nutrition on Thursday, March 15, 2018 at 4:30 p.m. at 500 N. Jackson Road, Ste. N6. He also reported a Groundbreaking event for the Pharr Bridge Business Park would take place on Tuesday, March 13, 2018 at 11:00 a.m. at 801 W. Hi-Line Road.

Juan G. Guerra, City Manager, also reported the City of Pharr would be hosting the 12th Annual St. Patrick's Day 5K Run/Walk on Saturday, March 17, 2018 at the PSJA Stadium. He stated there would be a kids one mile run at 8:00 a.m. and the 5K Run/Walk at 9:00 a.m. Mr. Guerra further reported there would be a best costume award, a \$300 award for the top female runner and a \$300 award for the top male runner.

Juan G. Guerra, City Manager, announced the Primary Election Day was scheduled for Tuesday, March 6, 2018 at the following locations in Pharr: Buckner Elementary, 1001 N. Fir Street; Development and Research Center, 850 W. Dicker Road; Liberty Middle School, 1212 S. Fir Street; Napper Elementary School, 903 N. Flag Street; Pharr Events Center, 3000 N. Cage Boulevard; PSJA North High School, 500 E. Nolana Road; and Valley View 5th Grade Campus, 9701 S. Jackson Road.

Juan G. Guerra, City Manager, reported the Parks and Recreation Basketball Ceremonies would take place on March 8, 2018 from 6:00 p.m. to 8:00 p.m.

At this time, Juan G. Guerra, City Manager, called upon Sergio Alanis, Parks and Recreation Director, to clarify an issue with the Parks and Recreation Advisory Board.

Sergio Alanis, Parks and Recreation Director, stated Chairperson Johnny Ramos was unable to attend the meeting but was seeking clarification on whether or not there were any future plans on changing the Parks and Recreation Advisory Board from an advisory board capacity.

Mayor Hernandez stated there was no plans on changing advisory boards at this time, as there was only one City Commission. He welcomed the public to participate in any advisory board and stated rotating of board members was good because it would bring fresh ideas. Lastly, he stated all advisory boards were by definition an advisory board, unless the City Commission wanted to change that but he did not want to make that change.

Mayor Hernandez also clarified the Jose "Pepe" Salinas Civic Center voting location was changed to the Pharr Events Center due to it being under renovations and unavailable at the moment.

ITEM 4. CONSENT AGENDA

- A) APPROVAL OF MINUTES FOR FEBRUARY 19, 2018 REGULAR CALLED MEETING (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM ST. JUDE CATHOLIC CHURCH FOR STREET CLOSURES FOR THEIR ANNUAL CHURCH FESTIVAL (JAMAICA) ON SUNDAY, MARCH 18, 2018 (ADMINISTRATION)**

- C) **CONSIDERATION AND ACTION, IF ANY, ALLOWING THE PHARR POLICE DEPARTMENT TO ENTER INTO AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE 2018 STEP CLICK IT OR TICKET MOBILIZATION (CIOT) (POLICE)**
- D) **CONSIDERATION AND ACTION, IF ANY, ON 31ST ANNUAL MAQUILADORA SPRING PICNIC SPONSORSHIP FOR \$2,000 (BRIDGE)**
- E) **CONSIDERATION AND ACTION, IF ANY, ON DONATION FOR A \$500 SCHOLARSHIP TO PSJA SOUTHWEST EARLY COLLEGE HIGH SCHOOL (POLICE)**
- F) **CONSIDERATION AND ACTION, IF ANY, ON BORDER TRADE ALLIANCE (BTA) 2018 MEMBERSHIP SILVER PATRON LEVEL FOR \$10,000 (BRIDGE)**
- G) **CONSIDERATION AND ACTION, IF ANY, ON 4TH ANNUAL PSJA ECHS BEAR SCHOLARSHIP CLASSIC GOLF TOURNAMENT FOR \$1,000 (BRIDGE)**
- H) **CONSIDERATION AND ACTION, IF ANY, ON PROPOSAL FOR \$3,500 SUBMITTED BY SALINAS PROMOTIONS LLC TO BRING LUCHA LIBRE WRESTLING TO PHARR HUB PHESTIVAL ON SATURDAY APRIL 7, 2018 (EVENTS CENTER)**
- I) **CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT WITH DOCK DOGS ENTERTAINMENT FOR PHARR HUB PHESTIVAL SATURDAY APRIL 7, 2018 IN THE AMOUNT OF \$6,000 FOR A SIX-HOUR PRESENTATION (EVENTS CENTER)**
- J) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA EDUCATION FOUNDATION FOR WAIVING OF RENTAL FEES OF THE PHARR EVENTS CENTER IN THE AMOUNT OF \$8,000 FOR THEIR 5TH ANNUAL GALA ON THURSDAY, SEPTEMBER 20, 2018 (EVENTS CENTER)**
- K) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD FOR WAIVING OF RENTAL FEES OF PHARR EVENTS CENTER IN THE AMOUNT OF \$5,000 PER EVENT ON MONDAY, APRIL 23, 2018 AND WEDNESDAY, APRIL 25, 2018 FOR SCHOOL BANQUETS FROM 12:00 P.M. - 9:00 P.M., TUESDAY APRIL, 24, 2018 FOR PARENT VOLUNTEER CEREMONY FROM 8:00 A.M. - 12:00 P.M., AND TUESDAY, JUNE 5, 2018 FOR GRADUATION CEREMONIES (EVENTS CENTER)**
- L) **CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM HIDALGO COUNTY HEAD START FOR USAGE OF THE DEVELOPMENT RESEARCH CENTER BUILDING FOR THE WEEK OF THE YOUNG CHILD FESTIVITIES APRIL 15-19, 2018 (PARKS)**
- M) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO RESCIND AMENDMENT NO. 1 TO THE CONTRACT WITH S&GE, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CITY OF PHARR ELDORA ELEVATED STORAGE PROJECT AND REISSUE A REVISED AMENDMENT NO. 1 (ENGINEERING)**
- N) **CONSIDERATION AND ACTION, IF ANY, ON SPECTRUM WEATHER AND SPECIALTY INSURANCE INC. WEATHER INSURANCE FOR PHARR HUB PHESTIVAL 2018 FOR \$5,934 (HR)**

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

1. ISMAEL GARZA 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 31, CRYSTAL ESTATES SUBDIVISION PHASE I, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3306 NORTH ROBIN AVENUE. CUP#180102
2. PEREZ CONSULTING ENGINEERS, REPRESENTING PHARR BRIDGE INVESTMENT COMPANY, L.P., OWNERS, REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 7.21 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 377, KELLY-PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 1500 BLOCK OF WEST HI-LINE ROAD. COZ#180107
3. OSCAR ENRIQUEZ, REPRESENTING THE KENNETH A. FAIRES, JR. AND CAROLYN A. FAIRES LIVING TRUST, OWNERS, REQUESTED A CHANGE OF ZONE FROM LIMITED INDUSTRIAL DISTRICT (L-I) TO HIGH-DENSITY MULTI-FAMILY DISTRICT (R-4). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 4, SUGAR POINTE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 704 WEST SIOUX ROAD. COZ#180104
4. TAQUERIA BORREGO PINTO 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 LOT 212, VALLE DE LA PRIMAVERA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 6615 SOUTH JACKSON ROAD. CUP#180208

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

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

Ordinance Nos. O-2018-07 and O-2018-08 are filed with the City Clerk's Office.

ITEM REGULAR AGENDA - OPEN SESSION

ITEM 5. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING FOUR (4) MEMBERS TO THE COMMUNITY DEVELOPMENT COUNCIL BOARD (GMCD)

Juan G. Guerra, City Manager, introduced the item and stated the members wished to be reappointed and recommended approval.

Comm. Medina moved to reappoint Araceli Saucedo, Lucio Gaytan, Norma Trevino and Joe Hinojosa to the Community Development Council Board. Comm. Bracamontes seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2018-20 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING OF FOUR (4) MEMBERS TO THE PHARR ANIMAL SHELTER ADVISORY COMMITTEE (PUBLIC WORKS)

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

Comm. Medina moved to reappoint Dr. Kelly Macmanus, Tim Ousley, and Frank Villarreal and appoint Ricardo Pedraza to the Animal Shelter Advisory Committee. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2018-21 is filed with the City Clerk's Office.

ITEM 6. ADMINISTRATIVE

A) SUBMISSION OF THE AUDITED FINANCIAL STATEMENTS FOR FY 2016-2017 (FINANCE)

Juan G. Guerra, City Manager, introduced the item and stated the audit was clean with no major issues to report.

B) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 2 FOR THE LIFT STATION 25 AND 16" FORCE MAIN IMPROVEMENTS (BID NO. 1516-02-582-0028) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and stated it would be discussed in closed session.

C) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 2 AND FINAL RECONCILIATION OF QUANTITIES FOR THE SINGLE MACHINE REPAVING PROJECT YEAR 2 (BID NUMBER 1617-01-528-0017) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and briefly stated this was for a deduct amount of \$89,937. He further recommended approval.

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

D) CONSIDERATION AND ACTION, IF ANY ON AUTHORIZING CITY MANAGER TO SOLICIT STATEMENTS OF QUALIFICATIONS FOR A SKATE PARK DESIGN/BUILD AT VICTOR GARCIA MUNICIPAL PARK (PARKS)

Juan G. Guerra, City Manager, introduced the item. He briefly stated this was part of the Parks Master Plan and recommended approval.

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

E) CONSULTATION ON ORDINANCE NO. O-82-13, ARTICLE IV, MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS (DEVELOPMENT SERVICES)

Juan G. Guerra, City Manager, introduced the item and stated it would be discussed in closed session.

ITEM 7. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, AWARDED MULTIPLE PURCHASE CONTRACTS TO VARIOUS VENDORS FOR THE PURCHASE OF THIRTY-ONE (31) 2018 VEHICLES. PROJECT #1718-60-583-P002-70 (PURCHASING)

Juan G. Guerra, City Manager, introduced the item and stated the four vendors were Caldwell Country Chevrolet for contract amount of \$333,300, Great Vine DCJ for

MINUTES: REGULAR CALLED MEETING
MARCH 5, 2018

contract amount of \$147,476, Randall Reeds Prestige Ford for contract amount of \$120,800 and Silsbee Fleet Group for contract amount of \$191,627. He stated the total purchase amount was \$775,203 and recommended approval.

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

B) CONSIDERATION AND ACTION IF ANY, ON THE PURCHASE OF PERMEABLE PAVERS AND REQUEST TO ADVERTISE FOR SEALED BIDS FOR THE ASSOCIATED GRAVEL MATERIALS FOR THE CONSTRUCTION OF A PROPOSED JOINT USE PARKING LOT WITH ST. JUDE THADDEUS CHURCH (ENGINEERING)

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

Mayor Hernandez briefly stated the City of Pharr would be joining ventures with St. Jude Church to build an environmental friendly parking lot with trees and a safe environment. He stated he was positive the public would be pleased with the outcome of parking lot.

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

C) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF A HYPER-CONVERGED SERVER SOLUTION FROM SHI GOVERNMENT SOLUTIONS FOR THE POLICE DEPARTMENT TYLER NEW WORLD PROJECT (INNOVATION & TECHNOLOGY)

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.

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

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 IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 4:34 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 9. RECONVENE

The time being 4:50 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 6. ADMINISTRATIVE

MINUTES: REGULAR CALLED MEETING
MARCH 5, 2018

B) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 2 FOR THE LIFT STATION 25 AND 16" FORCE MAIN IMPROVEMENTS (BID NO. 1516-02-582-0028) (ENGINEERING)

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

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

E) CONSULTATION ON ORDINANCE NO. O-82-13, ARTICLE IV, MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS (DEVELOPMENT SERVICES)

Juan G. Guerra, City Manager, re-introduced item and stated no action was necessary.

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 4:52 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 5th DAY OF MARCH 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: March 19, 2018