MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, APRIL 16, 2018
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, April 16, 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. Mario Bracamontes

BOARD OF COMMISSIONERS ABSENT: Comm. Ricardo Medina

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
Fabiola Sanchez, Finance
Anali Alanis, HR Director
Leonardo Perez, Fire Chief
Melanie Cano, Dev. Services Director
Reynaldo Cano, Asst. Public Works Director
Jose Villescas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Jose Pena, I.T. Director
Fred Brouwen, Bridge
Sandra Zamora, Purchasing Director
Daniel Ramirez, Communications Dir.
Victor Perez, PEDC 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 4:00 p.m. Roll call established a quorum.

Comm. Guajardo **moved** to excuse the absent member. Comm. Carrillo 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 Comm. Guajardo said the invocation.

ITEM 2. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Xavier Garcia, Hidalgo ISD Superintendent, introduced Principals Beatriz Solano and Vic Solano, and Albert Guerra, Executive Director. He stated they have two schools in the Las Milpas area and voiced his concern with the no left turn ordinance causing traffic problems for the district. He asked the Commission to consider amending the ordinance.

Beatriz Solano voiced her concerns with the ordinance and stated they have lost more than twenty (20) students as parents were receiving tickets for not using the right-of-way and they had to drive extra miles to get to campus. She further stated this was affecting enrollment at the school.

K.C. Fletcher requested the Commission to consider him as member of the Parks and Recreation Advisory Board. He also spoke about truck concerns and stated Police Department was doing a good job with trucks not coming through the downtown area. He further thanked the Commission for allowing him to work with Parks and Recreation and for getting the Tree City USA designation.

Crisanto Garcia voiced his concern with dust and stated the company was not irrigating as ordered by Municipal Judge. He stated dust was filtering through his house and passed a petition for no-thru school traffic at his neighborhood.

At this time, Mayor Hernandez called upon Rudy Martinez, Municipal Judge to provide clarification on the order.

Judge Martinez stated he was not allowed to comment on pending cases and he was not the judge who hears code enforcement cases but would look into it.

Melanie Cano, Development Services Director, stated the case was heard in court on February 15, 2018 and they were given a two-month extension. She further stated the company was consistently watering the ground however it has been windy and hot so that tends to dry out the property quickly.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 4. CITY MANAGER'S REPORTS

A) SUBMISSION OF APRIL 2018 SALES TAX REPORT

Juan G. Guerra, City Manager, introduced the sales tax report for the Month of April 2018 and stated sales tax were up 9.29%.

B) SUBMISSION OF MARCH 2018 TAX COLLECTION REPORT

Juan G. Guerra, City Manager, introduced the tax collection report and stated current taxes were up and delinquent taxes were down.

C) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, introduced the item and stated LRGVC 911 representatives were in the audience to present awards to staff.

Manuel Cruz, LRGVC 911, recognized public safety communicators for an outstanding job and presented awards. The Telecommunicator Team of the Year award was presented to Crystal Thompson and Sergio Aguayo; the Communications Supervisor of the Year award was presented to Kenneth Ennis, who was also recognized as one out of five in the state of Texas as 2018 Operations Professional of the Year; and the Telecommunicator of the Year award was presented to Sergio Aguayo.

Juan G. Guerra, City Manager, congratulated staff for a job well done. He further reported the Pharr Memorial Library would be celebrating Dia Del Libro on Thursday,

April 26, 2018 from 6:00 p.m. to 8:00 p.m. at the Pharr Memorial Library. He stated the event was to recognize the importance of children's books in the lives of all children.

Juan G. Guerra, City Manager, reported the Greater Pharr Chamber of Commerce would be hosting a ribbon cutting event for Crunch Fitness on Thursday, April 19, 2018 at 500 N. Jackson Road. He further reported a grand opening ceremony for Burger IM in Pharr would take place on April 25, 2018 at 1233 S. Cage. He extended an invitation to everyone to attend.

Juan G. Guerra, City Manager, reported a Summer Earn and Learn Program Workshop would take place on April 30, 2018 at the Holiday Inn Express & Suites at 205 W. Nolana Loop in Pharr. He stated the workshop would be hosted by the Pharr Economic Development Corporation alongside the Texas Workforce Commission and Texas Workforce Solutions. He further stated the program goal is to increase work-based learning opportunities for students with disabilities through integrated workforce system and better prepare them for successful transition to postsecondary education and employment.

Juan G. Guerra, City Manager, reported on upcoming events at the Pharr Events Center. He stated a Coastal Conservation Association event would take place on April 26, 2018 at 5:00 p.m. and In This Moment concert would take place on April 27, 2018 at 7:00 p.m.

ITEM 4. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR APRIL 2, 2018 REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION ON RENEWAL OF BI-ANNUAL WEIGHT ENFORCEMENT MEMORANDUM OF UNDERSTANDING WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY (DPS) (POLICE)

C) CONSIDERATION AND ACTION ON CONTRACT WITH THE LAMAR COMPANIES FOR BILLBOARD ADVERTISING/RENTAL SERVICES (PROJECT NO. 1718-70-510-IPQ007-001) (BRIDGE)

D) CONSIDERATION AND ACTION, IF ANY, ON PERSONAL SERVICES PROPOSAL FROM ERIKA SCIARAFFA, BUSINESS CONSULTANT, TO ENHANCE THE EXPERIENCE OF NEW EMPLOYEES DURING THE ONBOARDING AND ORIENTATION PROCESS (HR)

E) CONSIDERATION AND ACTION ON REQUEST FROM HIDALGO COUNTY ELECTIONS DEPARTMENT TO USE THE PHARR MEMORIAL LIBRARY AS POLLING LOCATION FOR THE UPCOMING PRIMARY RUNOFF ELECTION ON MAY 14-18, 2018 AND MAY 22, 2018 AND THE GENERAL ELECTION ON OCTOBER 22, 2018 TO NOVEMBER 2, 2018 AND NOVEMBER 6, 2018 (ADMINISTRATION)

F) CONSIDERATION AND ACTION ON REQUEST FROM VALLEY INITIATIVE FOR DEVELOPMENT AND ADVANCEMENT (V.I.D.A) FOR THE USAGE OF THE DEVELOPMENT RESEARCH CENTER MEETING ROOM ON SATURDAY, MAY 12, 2018 TO HOST AN ORIENTATION EVENT (PARKS)

G) CONSIDERATION AND ACTION ON REQUEST FROM PSJA ISD TO WAIVE RENTAL FEES OF THE PHARR EVENTS CENTER ON MONDAY, APRIL 30, 2018 FOR THE TRI-CITY HONOR CHOIR CONCERT FROM 8:30 AM - 9:00 PM. (EVENTS CENTER)

H) CONSIDERATION AND ACTION ON STREET CLOSURE FOR THE 2018 SHATTERED DREAMS PRESENTATION AT BUELL CENTRAL HIGH SCHOOL (POLICE)

I) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. PAPPAS RESTAURANTS, INC., D/B/A PAPPADEAUX SEAFOOD KITCHEN, 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 LOT 2, PAPPAS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1610 WEST EXPRESSWAY 83. CUP#100103

2. SANDRA L. GOMEZ, D/B/A DESPERADOS SALOON II, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS 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 LOTS 14 AND 15, LA QUINTA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 5826 SOUTH CAGE BOULEVARD.CUP#160208

3. SEBASTIAN A. SOBCZAK, DBA LA OFRENDA, LLC, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS LOT A, RE-PLAT OF LOTS 9 & 10, STEEL HORSE INDUSTRIAL PARK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5704 NORTH GUMWOOD. CUP#130109

4. LADY B. SEGUNDO, D/B/A THE ALLEY CABANA BAR & GRILL, 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 ALL OF LOTS 4 & 5, LA QUINTA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5808 SOUTH CAGE BOULEVARD. CUP#180210

PLATS:

1. CDSMUERY ENGINEERS, REPRESENTING, TODD IRELAND, REAL ESTATE MANAGEMENT MANAGER FOR AEP TEXAS CENTRAL COMPANY REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED AEP NORTH PHARR SUBDIVISION.THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 20.836 ACRE TRACT OF LAND LYING IN PORCION 69, JUAN JOSE HINOJOSA SURVEY, ABSTRACT 40, SAME BEING A PORTION OF LOT 93, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY IS LOCATED WITHIN THE 200 BLOCK OF E. MINNESOTA ROAD. SUB#180105

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

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

REGULAR AGENDA - OPEN SESSION

ITEM 5. ORDINANCES AND RESOLUTIONS

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION CONCERNING AEP DISTRIBUTION COST RECOVER FACTORS (DCRF) APPLICATION TO INCREASE DISTRIBUTION RATES (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and briefly explained the resolution was to deny the rate increase as proposed by AEP. He further recommended approval.

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

Resolution No. R-2018-26 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DECLARING COMPUTER EQUIPMENT AS SURPLUS TO BE DONATED TO PEDC (INNOVATION & TECHNOLOGY)

Juan G. Guerra, City Manager, introduced the item and briefly explained this was part of the program with the Pharr-San Juan-Alamo ISD for their free public Wi-Fi project to 50 homes.

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

Resolution No. R-2018-27 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) MEMBER TO AN UNEXPIRED TERM ON THE PARKS AND RECREATION ADVISORY BOARD (PARKS)

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

ITEM 6. ADMINISTRATIVE

A) PRESENTATION OF THE 2018 CITY OF PHARR PERFORMANCE REVIEW SURVEY (HR)

Michael Uhrbrock, University of Texas at Rio Grande Valley, went over the 2018 Performance Review Survey results. He stated the survey was given to the employees at the employee training on February 22-23, 2018 and overall the employees were satisfied with the performance of the Mayor, the City Commission, and the City Manager. A total of 484 surveys were filled out, representing 80% of all city employees and surveys were anonymous. He added the ratings were higher than year 2016.

Comm. Bracamontes left at this time being 4:30 p.m.

Mayor Hernandez thanked Mr. Uhrbrock for a detailed report.

B) PRESENTATION OF ELECTION EQUIPMENT BY ELECTION SYSTEMS & SOFTWARE (ES&S) (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and stated the voting equipment was in the room for the elected officials and the public to view.

C) CONSIDERATION AND ACTION, IF ANY, ON SELECTING VARIOUS ENGINEERING FIRMS TO BE PART OF A LIST OF QUALIFIED FIRMS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR PROJECTS REQUIRING GENERAL CIVIL ENGINEERING, TRAFFIC ENGINEERING, CONSTRUCTION ENGINEERING INSPECTION, STRUCTURAL ENGINEERING, MEP, AND ELECTRICAL ENGINEERING BASED ON THE STATEMENT OF QUALIFICATIONS (PROJECT NO. 1718-01-528-S002-289) (TABLED) (ENGINEERING)

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

D) CONSIDERATION AND ACTION, IF ANY, ON SELECTING VARIOUS ENGINEERING FIRMS TO BE PART OF A LIST OF QUALIFIED FIRMS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR WATER AND WASTEWATER IMPROVEMENT PROJECTS BASED ON THE STATEMENT OF QUALIFICATIONS (PROJECT NO. 1718-01-528-S001-362) (TABLED) (ENGINEERING)

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

E) CONSIDERATION AND ACTION, IF ANY, ON SELECTING A DESIGN-BUILD TEAM FOR THE DESIGN AND CONSTRUCTION OF A SKATE PARK AT VICTOR GARCIA PARK BASED ON THE STATEMENT OF QUALIFICATIONS (PROJECT NO. 1718-40-510-S003-020) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and stated five statement of qualifications were received and staff recommended SPA Skateparks at $300,000 budgeted.

Omar Anzaldua, City Engineer, briefly explained this was a design build contract and Skateparks had previously done work at this park; therefore, they were the most qualified. He stated they were a Valley based engineering company and the budget would not be increased.

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

F) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 1 AND FINAL RECONCILIATION OF QUANTITIES FOR THE CIVIC CENTER ASBESTOS ABATEMENT PROJECT (TIPS ACCOUNT NO. 161201) (PROJECT NO. 1718-39-10-C001-001) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and stated the change order amount was for an increase of $16,800 due to the asbestos in roof area. He further recommended approval.

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

G) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 1 AND FINAL ACCEPTANCE OF THE WASTE WATER TREATMENT PLANT CLARIFIER NO. 2 REHABILITATION PROJECT (BID NUMBER 1516-02-582-0037) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and stated the change order was a decrease of $8,457 and recommended approval.

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

H) CONSIDERATION AND ACTION, IF ANY, ON ACCEPTANCE OF THE CITY OF PHARR LIFT STATION NO. 25 AND 16-INCH FORCEMAIN PROJECT (BID NUMBER 1516-02-582-0028) (ENGINEERING)

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

Comm. Guajardo **moved** to approve. Comm. Chavez seconded the motion and when put to a vote, it carried by a majority vote of five (5) ayes and one (1) abstention. Comm. Carrillo abstained.

ITEM 8. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO A SUBSCRIPTION BASED SERVICE CONTRACT FOR THE USE OF PROCUREMENT SOFTWARE (PROJECT NO. 1718-01-513-IPQ006-003) (PURCHASING)

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

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO A CONTRACT WITH SMARTCOM SOLUTION FOR INTERNET SERVICES AT THE PHARR MEMORIAL LIBRARY AND DEVELOPMENT AND RESEARCH CENTER (LIBRARY)

Juan G. Guerra, City Manager, introduced the item and briefly stated the City would only pay 10% of the cost due to E-Rate Program. He further recommended approval.

Comm. Guajardo **moved** to approve. Comm. Chavez 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 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 4:40 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 5:18 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 5. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE RELATING TO ON-SITE QUEUING REQUIREMENTS (1ST READING) (DEVELOPMENT SERVICES)

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO.O-2016-39 (PURCHASING MANUAL) (1ST READING) (PURCHASING)

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

ITEM 7. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON THE PURCHASE OF REAL PROPERTY LEGALLY DESCRIBED AS PHARR ORIGINAL TOWNSITE LOTS 11-16, BLOCK 50, PHARR, HIDALGO COUNTY, TEXAS (DEVELOPMENT SERVICES)

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

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

ITEM 8. CONTRACTS/AGREEMENTS

C) CONSIDERATION AND ACTION, IF ANY, ON PROJECT AUTO (PEDC II)

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

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

ITEM 13. ADJOURNMENT

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:18 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 16th DAY OF APRIL 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: May 7, 2018