MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, MAY 7, 2018
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, May 7, 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
Anali Alanis, HR Director
Leonardo Perez, Fire Chief
Melanie Cano, Dev. Services Director
Ricardo Pedraza, Public Works Director
Jose Villescas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Jose Pena, I.T. Director
Luis Bazan, Bridge Director
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.

B) PLEDGE OF ALLEGIANCE/INVOCATION

Luis Bazan, Bridge Director, led in the pledge of allegiance and invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING MOTORCYCLE SAFETY AWARENESS MONTH

Mayor Hernandez read proclamation proclaiming May 2018 as Motorcycle Safety Awareness Month and presented proclamation to Andrew Canon.

Andrew Canon thanked the Commission for proclamation and stated they have been promoting motorcycle safety awareness.

ITEM 3. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Kenneth Fletcher spoke on item 6.E and requested the Commission to consider him as member of the Parks and Recreation Advisory Board. He also spoke about item 6.B regarding onsite queuing Ordinance verbiage regarding fire lanes and voiced his concern with corner driveway on Jackson Road at Costco.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 4. 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.

At this time, Mayor Hernandez called upon Omar Anzaldua, City Engineer, to provide status on I Road/Veterans Road.

Omar Anzaldua, City Engineer, stated the project was coming along but Public Works Director could provide a better report on this specific project.

Ricardo Pedraza, Public Works Director, stated that project had been delayed due to unforeseen weather and was pending a Purchase Order from Purchasing Department.

B) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, reported the State requested assistance from our Fire Department on a Wildland Fire at The Fort Davis area and two firefighters responded to assist. He also announced the Pharr Memorial Library would be having Summer Reading Program on Saturday, May 12, 2018 at the Pharr Memorial Library from 9:00 a.m. to 5:00 p.m. and at the Development and Research Center from 1:00 p.m. to 5:00 p.m.

Juan G. Guerra, City Manager, reported the Greater Pharr Chamber of Commerce would be celebrating the Grand Opening and Ribbon Cutting for Eddie's Tacos on Wednesday, May 9, 2018 at 9:00 a.m. at 1406 W. Nolana Loop in Pharr. He further stated this would be the third location in the Pharr-San Juan area and mentioned Eddie's Tacos takes pride in serving authentic and fresh Mexican food, and believes in providing quality service for customers and their families.

Juan G. Guerra, City Manager, reported the Pharr Events Center would be having the Natalia La Fourcade Concert on May 11, 2018 at 7:00 p.m. and stated tickets were available for this event.

Lastly, Juan G. Guerra, City Manager, announced Karla Moya, Finance Director, was now a Certified Government Finance Officer (CGFO) and member of the Government Finance Officers Association of Texas (GFOAT). He stated the Certified Government Finance Program is intended to encourage a level of knowledge and professionalism in the field of government finance and congratulated Ms. Moya for her accomplishment.

ITEM 5. CONSENT AGENDA

A) **APPROVAL OF MINUTES FOR APRIL 16, 2018 REGULAR CALLED MEETING (ADMINISTRATION)**

B) **CONSIDERATION AND ACTION ON RESOLUTION AUTHORIZING PHARR POLICE DEPARTMENT TO PARTICIPATE ON THE FY 2017 OPERATION STONE GARDEN GRANT # 3173103 (POLICE)**

C) **CONSIDERATION AND ACTION ON MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF PHARR AND PSJA ISD FOR CITY OF PHARR INDEPENDENCE DAY FESTIVAL ON SATURDAY, JUNE 30, 2018 (EVENTS CENTER)**

D) **CONSIDERATION AND ACTION ON APPROVING CONTRACT WITH PYRO SHOWS OF TEXAS FOR FIREWORKS DISPLAY FOR THE CITY OF PHARR INDEPENDENCE DAY FESTIVAL ON SATURDAY, JUNE 30, 2018 AT DR. WILLIAM LONG ELEMENTARY (EVENTS CENTER)**

E) **CONSIDERATION AND ACTION ON MERCHANT SERVICE AGREEMENT WITH EPX FOR THE TOLL COLLECTION SYSTEM (BRIDGE)**

F) **CONSIDERATION AND ACTION ON WAIVING THE FEES FOR THE PHARR CRIME STOPPERS INC. GOLF TOURNAMENT (PARKS)**

G) **CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR DECORATIVE FENCE PROJECT AT GUADALUPE CEMETERY (PARKS)**

H) **CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:**

1. **JOEL CANTU REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN OVERSIZED STORAGE UNIT (12' X 12', 10 FEET IN HEIGHT) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (SMALL LOTS) (R-1A).THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOTS 7 & 8, BLOCK 155, FIR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 916 EAST CORTEZ AVENUE. CUP#180320**

2. **LAS PUPUSAS DEL ITACATE, LLC. 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 0.054 ACRES OUT OF LOT 1A, TIM DEVELOPMENT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 807 SOUTH JACKSON ROAD, SUITE 6. CUP#180318**

3. **REYES GARZA, D/B/A THE FRATERNAL ORDER OF EAGLES OF PHARR, TEXAS, 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 3, BLOCK 58, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 305 SOUTH CAGE BOULEVARD. CUP#060312**

4. **1500 HALL ACRES, LLC REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) AND GENERAL BUSINESS DISTRICT (C) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE SUBJECT SITE IS LOCATED ON THE NORTH SIDE AND WITHIN THE 1500 BLOCK OF WEST HALL ACRES ROAD. THE PROPERTY CONSISTS OF THREE (3) TRACTS WHICH TOTAL 13.785 ACRES, MORE OR LESS, OUT OF LOTS 5 & 6, BLOCK 8, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. COZ#180316**

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.

Ordinance No. O-2018-14 and Resolution No. R-2018-28 are filed with the City Clerk's Office.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NOS. O-90-18 AND O-2006-56 FOR THE ESTABLISHMENT AND ADMINISTRATION OF RECORDS MANAGEMENT PROGRAM *(ADOPTION ON 1ST READING)* (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item. He stated this was to update the ordinance to the new standards and recommended approval.

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

Ordinance No. O-2018-15 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE RELATING TO ON-SITE QUEUING REQUIREMENTS *(2ND READING)* (DEVELOPMENT SERVICES)

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.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2017-41 FOR BUDGET AMENDMENTS TO THE FISCAL YEAR 2017-2018 BUDGET *(ADOPTION ON 1ST READING)* (FINANCE)

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.

Ordinance No. O-2018-16 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING CITY CLERK AND ASSISTANT CITY CLERK (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and recommended re-appointment of Hilda Pedraza as City Clerk and Imelda Barrera as Assistant City Clerk.

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

Resolution No. R-2018-29 is filed with the City Clerk's Office.

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

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

Comm. Guajardo **moved** to appoint Efrain Matamoros to the Parks and Recreation Advisory Board. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2018-30 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

A) 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 stated this item would be discussed in closed session.

B) 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 stated this item would be discussed in closed session.

ITEM 8. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE WARREN GROUP ARCHITECTS, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE CONCEPTUAL DESIGN AND MASTER PLANNING OF THE FIRE FIGHTHERS PARK ADJACENT TO FIRE STATION NO. 1 (PROJECT #1718-01-522-S007-001) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and stated the cost was $6,000. He further recommended approval.

Comm. Guajardo **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, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH R. GUTIERREZ ENGINEERING CORPORATION FOR PROFESSIONAL ENGINEERING SERVICES FOR THE ADDITION OF A RIGHT TURN LANE AND CENTER MEDIAN ON JACKSON RD. BETWEEN KELLY AVE AND IH-2 FRONTAGE RD. (PROJECT #1718-01-528-S006-001) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and stated the cost was $35,269. He further recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, ON AWARD OF CONTRACT FOR THE CITY OF PHARR INTERNATIONAL BRIDGE FACILITY EXPANSION AND RENOVATIONS (PROJECT NO. 1718-70-510-C003-393) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and briefly stated RG Enterprises would be doing the work and the cost would be $904,000. He further recommended approval.

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

D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER AND NEGOTIATE A CONTRACT WITH RUBEN ESCOBAR OF DISENO, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE DESIGN OF A DOWNTOWN PARK. (PROJECT #1718-01-522-S005-001) (PARKS)

Juan G. Guerra, City Manager, introduced the item and stated the cost was $130,154 for architectural design. He further recommended approval.

Comm. Carrillo **moved** to approve as recommended. Comm. Caballero 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 10. 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.

ITEM 11. RECONVENE

The time being 4:54 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 8. CONTRACTS/AGREEMENTS

C) CONSIDERATION AND ACTION, IF ANY, ON AWARD OF CONTRACT FOR THE CITY OF PHARR INTERNATIONAL BRIDGE FACILITY EXPANSION AND RENOVATIONS (PROJECT NO. 1718-70-510-C003-393) (ENGINEERING)

Juan G. Guerra, City Manager, re-introduced the item and stated after further discussion in closed session he was recommending motions to be rescinded to allow more information on the construction project and the scope of work.

Comm. Medina **moved** to rescind his previous motion. Comm. Chavez rescinded his second and when put to a vote, it carried unanimously.

At this time, Juan G. Guerra, City Manager, recommended item be tabled.

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

ITEM 7. ADMINISTRATIVE

A) 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, re-introduced the item and recommended the item be un-tabled.

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

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

Comm. Carrillo **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, 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, re-introduced the item and recommended the item be un-tabled.

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

Juan G. Guerra, City Manager, recommended to approve as discussed in closed session.

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

ITEM 9. LEGAL

A) CONSIDERATION AND ACTION, IF ANY, RATIFYING AGREEMENT BETWEEN THE CITY OF PHARR AND LOT 35 SOUTHGATE SUBDIVISION (ADMINISTRATION)

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

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

B) CONSULTATION AND UPDATE WITH LEGAL ON THE FOLLOWING CASES: GLORIA SAUCEDA V. CITY, CL-17-1659-E; ELIJAH SMITH V. CITY, C-0407-17-J; FRANCISCO MARIN V. CITY,ET AL, 18-CV-0002; GABRIEL CABRERA V. CITY, ET AL, 17-CV-00396; CARLOS MANDUJANO V. CITY, 18-CV-00003 (LEGAL)

Juan G. Guerra, City Manager, introduced the item and stated no action was needed.

ITEM 12. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Carrillo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:57 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 7th DAY OF MAY 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 29, 2018