

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JUNE 4, 2018
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, June 4, 2018 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Comm. Eleazar Guajardo
Comm. Ramiro Caballero
Comm. Roberto "Bobby" Carrillo
Comm. Daniel Chavez
Comm. Ricardo Medina

BOARD OF COMMISSIONERS ABSENT: Mayor Ambrosio Hernandez
Comm. Mario Bracamontes

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Omar Anzaldua, City Engineer
Karla Moya, Finance Director
Anali Alanis, HR Director
Rodolfo Martinez, Municipal Court Judge
Leonardo Perez, Fire Chief
Jose A. Luengo, Police Chief
Melanie Cano, Dev. Services Director
Ricardo Pedraza, Public Works Director
Jose Villescascas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Adolfo Garcia, Library Director
Jose Pena, I.T. Director
Fred Brouwen, Assistant 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 Pro Tem Carrillo called the meeting to order at 4:00 p.m. Roll call established a quorum.

Comm. Guajardo moved to excuse the absent members. Comm. Caballero 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

Kenneth Fletcher stated he had submitted four public information requests regarding the hiring of employees as stated in the Costco contract. He also stated he had a legally recognizable interest in public hearing cases and expected one day be able to express his comments. Mr. Fletcher also spoke about oversized storage units

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and stated the height should be considered when reviewing requests. Lastly, he expressed interest in serving in the Planning & Zoning Commission.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 3. CITY MANAGER'S REPORTS

A) PRESENTATION OF CHECK FROM CITY OF PHARR TO UTRGV

Mayor Pro Tem Carrillo and Commissioners presented a check for \$500,000 to the University of Texas Rio Grande Valley, School of Medicine. Mayor Pro Tem Carrillo stated it was important the city continue to fulfill its responsibility to the university and the students benefitting from this donation. He further stated today marked the third payment the city has made to the school of medicine as part of the memorandum of understanding signed with UTRGV, the City of Pharr and other local government entities.

At this time, check was presented to Dr. Guy Bailey, President of UTRGV, Dr. John Krouse, Dean for the School of Medicine, and Veronica Gonzalez, Vice President for Government Affairs & Community Development. Dr. John Krouse thanked the City of Pharr for their generosity and ongoing support.

B) CITY ENGINEER'S REPORT

Juan G. Guerra, City Manager, stated the City Engineer was in the audience and questions could be entertained at this time.

Comm. Medina voiced his concern about the street stripping on I Road/Veterans Road and Business 83 stating he was unable to see them at night. He asked if the City was responsible for the stripping or if it was Texas Department of Transportation (TXDOT).

Omar Anzaldua, City Engineer, stated these were city streets and the stripping was the city's responsibility and he was currently working with Public Works on an annual contract for stripping services. Mr. Anzaldua further stated there was an item on agenda and the city would be doing an assessment of all streets to see what streets needed stripping.

Comm. Medina asked staff to look into how we can continue with the maintenance on city streets.

C) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, reported the Summer Reading Program Libraries Rock would take place at the Pharr Memorial Library and the Development and Research Center and stated registration was being held thru Friday, June 8, 2018.

Juan G. Guerra, City Manager, also reported Parks and Recreation would be having Movies at the Park on Saturday, June 9, 2018 and stated the movie to be played was "A Wrinkle in Time" at Dr. William Long City/School Park.

ITEM 4. CONSENT AGENDA

A) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR THE PHARR SPORTS COMPLEX AND WITTEN PARK DUGOUTS (ENGINEERING)

- B) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR CONSTRUCTION MATERIALS FOR PUBLIC WORKS (PUBLIC WORKS)**
- C) CONSIDERATION AND ACTION AUTHORIZING PAYMENT OF CONSTRUCTION MATERIALS PURCHASED THROUGH EXPIRED PUBLIC WORKS CONTRACTS TOTALING \$82,825.15. (PUBLIC WORKS)**
- D) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:**
1. MONSTER BURGER LLC, D/B/A BURGERIM 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 0.053 ACRES MORE OR LESS, OUT OF LOT 2, VAQUERO ADDITION SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 1233 SOUTH CAGE BOULEVARD, SUITE 100. CUP# 180528
 2. GENOVEVA OLIVAREZ REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN OVERSIZED STORAGE UNIT (LARGER THAN 120 SQUARE FEET) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 84, LOS EBANOS SUBDIVISION PHASE I, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 710 ZAVALA AVENUE. CUP# 180531
 3. MARIA DOLORES MONTENEGRO, D/B/A PATO'S PLACE, 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 THE WEST 8.6 FEET OF LOT 29 AND ALL OF LOT 30, BLOCK 30, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 226 WEST STATE AVENUE. CUP#990583
 4. ALBA DORA PEDRAZA, D/B/A SEPI'S, 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 20-22, BLOCK 30, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 212 WEST STATE STREET. CUP#120423
 5. NELDA TELLES REQUESTED A CHANGE OF ZONE FROM TWO-FAMILY RESIDENTIAL DISTRICT (R-2) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING N266'-W1.21 ACRES OF THE N6.21ACRES OF LOT 1, GEHLERTS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED 222 EAST SAM HOUSTON. COZ# 180529
 6. RICH HERITAGE CONSTRUCTION INC. REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (R-3). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 4.85 ACRES, MORE OR LESS, OUT OF LOT 121, KELLY-PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3401 NORTH SUGAR ROAD. COZ#180532

Juan G. Guerra, City Manager, introduced the item and recommended approval of the consent agenda and noted item D.5 was approval to deny as per Planning & Zoning Commission recommendation.

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

Ordinance No. O-2018-18 is filed with the City Clerk's Office.

REGULAR AGENDA - OPEN SESSION

ITEM 5. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2016-17 1ST READING (DEVELOPMENT SERVICES)

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 RESOLUTION APPOINTING/RE-APPOINTING ONE MEMBER TO THE COMMUNITY DEVELOPMENT COUNCIL (GMCD)

Juan G. Guerra, City Manager, introduced the item and stated the term of Rene Cantu had expired and he wished to be reappointed.

Comm. Medina moved to reappoint Rene Cantu to the Community Development Council. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2018-33 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING ONE REGULAR MEMBER TO THE PLANNING & ZONING COMMISSION (DEVELOPMENT SERVICES)

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

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATE FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDING BY CITY ATTORNEY, CONTINGENT ON AVAILABLE FUNDING (DEVELOPMENT SERVICES)

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

ITEM 6. CONTRACTS/AGREEMENTS

A) 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) (TABLED) (ENGINEERING)

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WALDEN CHEMICAL DBA BLUE WATER POOLS AS THE SOLE SOURCE PROVIDER OF ACCU-TAB BLUE SI & ACCU-TAB CALCIUM HYPOCHLORITE FEED SYSTEMS FOR THE PHARR AQUATIC CENTER (PROJECT #1718-01-522-SP003-003) (PARKS)

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Juan G. Guerra, City Manager, introduced the item. He stated this was an estimated \$65,000 annually and recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO A CONTRACT WITH CIVICPLUS (CIVICHR) FOR SUBSCRIPTION SERVICES FOR APPLICANT TRACKING AND EMPLOYEE ONBOARDING (PROJECT #1718-01-526-IPQ014-002) (HR)

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

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

At this time, Mayor Pro Tem Carrillo stated they would deviate from the agenda 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 4:11 p.m., Mayor Pro Tem Carrillo 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 4:47 p.m., Mayor Pro Tem Carrillo stated the commission would be resuming the open meeting.

ITEM 5. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2016-17 1ST READING (DEVELOPMENT SERVICES)

Juan G. Guerra, City Manager, introduced the item. He stated this would be the first and reading of the ordinance.

Comm. Chavez **moved** to approve with the condition that a separate HVAC system needs to be designed by a professional engineer. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2018-19 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING ONE REGULAR MEMBER TO THE PLANNING & ZONING COMMISSION (DEVELOPMENT SERVICES)

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

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- D) **CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATE FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDING BY CITY ATTORNEY, CONTINGENT ON AVAILABLE FUNDING (DEVELOPMENT SERVICES)**

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

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

ITEM 7. LEGAL

- A) **CONSULTATION AND UPDATE BY LEGAL CONCERNING HERIBERTO DE LEON V. JUAN GUERRA AND JOSE VILLESAS, C-1691-18-C (ADMINISTRATION)**

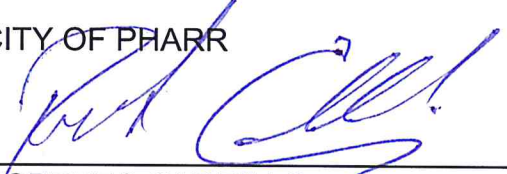
Juan G. Guerra, City Manager, introduced the item and recommended approval as discussed in closed session.

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

ITEM 10. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo moved to adjourn. Comm. Caballero seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:49 p.m.

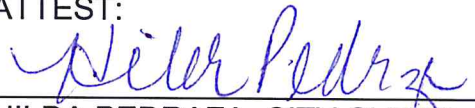
CITY OF PHARR


ROBERTO CARRILLO
MAYOR PRO TEM

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 4th DAY OF JUNE 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: June 18, 2018