



**TAKE NOTICE THAT A REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, TEXAS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 4:00 PM ON
MONDAY, JULY 2, 2018**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2015-28. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

1. CALL TO ORDER:

A) Roll call and possible action on the excusing of any absent member of the governing body.

B) Pledge of Allegiance/Invocation

2. PUBLIC COMMENTS/PUBLIC HEARINGS:

A) PUBLIC COMMENTS: (Ordinance No. O-2015-28) *A registered speaker may speak on several items or topics of public concern; however, a speaker may not exceed three (3) minutes as a whole when addressing the board. A registered speaker may not donate time to another speaker. No more than five (5) registered persons may speak at a scheduled meeting. A sign-in form must be filled out prior to the meeting to allow the registered speaker to address the governing body.*

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES: (Ordinance No. O-2015-28). *A registered speaker during the public hearing may not exceed three (3) minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.*

3. CITY MANAGER'S REPORTS: *(City Manager's Administrative Reports and discussion, if any, with governing body. The City Manager may also assign a designated spokesperson for any particular listed topic)*

A) City Engineer's Report.

B) City Events of Interest.

4. CONSENT AGENDA: *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

A) Approval of Minutes for June 18, 2018 Regular Called Meeting. (ADMINISTRATION)

B) Consideration and action, if any, on Resolution entering into an agreement with TxDOT for street closures for the 2nd Annual Public Safety Memorial 5K Run/Walk on Saturday, August 4, 2018. (PARKS)

C) Consideration and action authorizing City Manager to advertise for Request for Proposals for City's Water Rate Study. (FINANCE)

D) Consideration and action authorizing City Manager to advertise for Request for Proposals for Capital Lease Financing Services for Bridge Camera System. (FINANCE)

E) Consideration and action authorizing City Manager to advertise for Request for Proposals for Pharmacy Benefit Management. (HR)

F) Consideration and action on Development Services Cases:

1. Melden & Hunt Inc., representing Maria Elena Ramirez Lopez, Maria Teresa Ramirez Lopez and Maria Eugenia Ramirez Lopez, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1). The property is legally described as being 10 AC of the W352'-E660'-S1,237.5' out of Lot 82, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 1000 Block of East Minnesota Road. **COZ#180540**

2. Melden & Hunt, Inc., representing Pharr Economic Development Corporation II, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4). The property is legally described as being 7.69 acre tract of land out of North Lateral F-2, and 0.44 acre tract South of the North Lateral F-3, Block "D" Kelly Pharr Lettered Blocks, or a portion of Lots 2 and 3, Block "D", lying North of Lateral "F" Subdivision of Portions 69 and 70, Pharr, Hidalgo County, Texas. The property is physically located 601 West Polk Avenue. **COZ#180534**

3. Jose Ruben Mendez, d/b/a 100% Antojitos Mexicanos, is requesting 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 being a 0.04 acre tract of land out of Lot 1, Jackson Ridge Court Phase 2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1201 South Jackson Road, Suite 9. **CUP# 140525**

REGULAR AGENDA - OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2018-19 (smoking ordinance). **(Adoption on 1st Reading)** (DEVELOPMENT SERVICES)
- B) Consideration and action, if any, on Ordinance creating a temporary exemption from permit fees for the properties that were damaged as a result from the recent rain events. **(Adoption on 1st Reading)** (DEVELOPMENT SERVICES)
- C) Consideration and action, if any, on Resolution proclaiming the existence or threatened existence of a local emergency in the City of Pharr. (DEVELOPMENT SERVICES)

6. ADMINISTRATIVE:

- A) Consideration and action, if any, ratifying emergency action taken on establishing a Disaster Emergency Grant Fund with Affordable Homes. (GMCD)
- B) Consideration and action, if any, on deductive Change Order Number 4 and acceptance of the South Pharr Development & Research Center (Part A) and Exhibit Hall (Part B) as complete and authorization to release retainage in the amount of \$180,662.75 (Bid Number 1617-01-528-0021) (ENGINEERING)
- C) Discussion and possible action regarding Regional Drainage Issues affecting the City of Pharr. (ENGINEERING)

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, authorizing City Manager to negotiate and enter into an agreement for Construction Manager services for the Pharr International Bridge Expansion Project. (ADMINISTRATION)
- B) Consideration and action, if any, authorizing City Manager to amend the agreement with the Construction Manager at Risk (CMAR) for various parks and fire station projects. (ENGINEERING)
- C) Consideration and action, if any, on Quote and Agreement with Leidos for relocation of two VACIS Gamma Ray systems. (BRIDGE)

D) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with Garver, LLC for Professional Engineering Services for the Expressway Tank Rehabilitation Project. (Project #1718-60-582-S011-001) (ENGINEERING)

E) Consideration and action, if any, on contract with ZoomGrants for consulting services related to the Five Year Consolidated Plan. (GMCD)

F) Consideration and action, if any, on proposal from First Service Technology through The Interlocal Purchasing System (TIPS) Purchasing Cooperative to upgrade surveillance system at the Pharr International Bridge. (BRIDGE)

G) Consideration and action, if any, on proposal from Foresight Golf, LLC for consulting services for Tierra del Sol Municipal Golf Course operations. (PARKS)

8. LEGAL:

A) Consultation with Legal on Extra Territorial Jurisdiction (ETJ) issues. (DEVELOPMENT SERVICES)

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:*

Pursuant to Section 551.071, the City may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the City may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the City may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

AGENDA REGULAR MEETING
July 2, 2018

Pursuant to Section 551.076, the City may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the City may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.087, the City may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

10. RECONVENE: *into Regular Session, and consider action, if necessary on any items(s) discussed in closed session.*

11. ADJOURNMENT:

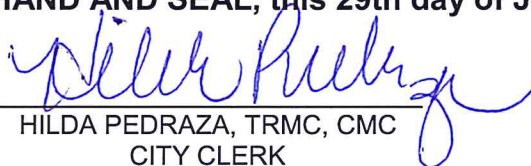
NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956/402-4100 ext. 1003/1007 or FAX 956/702-5313 or E-mail hilda.pedraza@pharr-tx.gov or imelda.barrera@pharr-tx.gov for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the City Commission of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at www.pharr-tx.gov. This Notice was posted on the 29th day of June 2018 at 3:30 p.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).



WITNESS MY HAND AND SEAL, this 29th day of June 2018.


HILDA PEDRAZA, TRMC, CMC
CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was removed from the bulletin board of City Hall on the _____ day of _____, 20____ by,

Title: _____



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 2.A.

DATE SUBMITTED: June 22, 2018

MEETING DATE: July 2, 2018

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: PUBLIC COMMENTS

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 06/22/2018



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 2.B.

DATE SUBMITTED: June 22, 2018

MEETING DATE: July 2, 2018

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Public Hearing on Development Services Cases

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 06/22/2018

Design Phase

- ☐ **PSJA Tri-City Pedestrian Safety Improvements Projects**
- ☐ **Pharr Pedestrian Connections**
- ☐ **Hi-Line Road Improvements From Jackson Rd to Veterans Rd (I-Road)**
- ☐ **Anaya Road Improvements From US 281 (Cage Blvd) to Veterans Rd (I-Road)**
- ☐ **W. Las Milpas Rd. Reconstruction**
- ☐ **Thomas Rd. Intersection Widening**
- ☐ **Downtown Pharr Lights (Polk to IH-2)**
- ☐ **Downtown Park**
- ☐ **Renovations of Jose "Pepe" Salinas Civic Center**
- ☐ **559 FY 15 DAP-Pharr-Reynosa Intl. Br. Northbound Lane and 2nd BSIF Exit**
- ☐ **559 FY 16 DAP-Pharr-Reynosa Intl. Br. (Dock Expansion, Cold Inspection Facility, & Ag Training Center & Lab)**
- ☐ **Bridge Facility Expansion & Toll Booth Improvements.**
- ☐ **Utility Relocation for Hike & Bike Tunnel under Veterans.**
- ☐ **St. Jude Overflow Parking**
- ☐ **Fire Station No. 1**

Construction Phase

- ☐ **Owassa Road Improvements**
- ☐ **Eldora Elevated Storage Tank Improvements**
- ☐ **Pharr Nature and Birding Center**
- ☐ **Allen & William Arnold Park**
- ☐ **Dr. Long Park**
- ☐ **Fire Station No. 4**

DESIGN PHASE

Project Name:	PSJA Tri-City Pedestrian Safety Improvements Project
Design Engineer:	City of Pharr Engineering Department.
Description:	Construction of approximately 27,784 square yards of concrete sidewalks within the Cities of Pharr, San Juan & Alamo to make linkages to surrounding cities, schools, neighborhoods, public parks by extending sidewalks and closing gaps in service.
Status:	Coordinating with TXDOT to finalize the Advance Funding Agreement. Survey for the Project is approximately 100% Complete. Design is 50% Complete
Project Name:	Pharr Pedestrian Connections
Design Engineer:	City of Pharr Engineering Department.
Description:	The Project will provide pedestrians in the City of Pharr with facility improvements that will address the needs of seniors and persons with disabilities
Status:	Staff is coordinated interlocal agreement with LRGVDC.
Project Name:	Hi-Line Road Improvements From Jackson to Veterans
Design Engineer:	S&B Infrastructure, Ltd.
Description:	Approximately 2.3 miles of roadway improvements from Jackson Rd to Veterans Rd.
Status:	Coordinating with TXDOT to finalize the Advance Funding Agreement and Working on the Environmental and Final Alignment Selection. Public Hearing Scheduled for May 29th 2018

DESIGN PHASE

Project Name:	Anaya Rd. Improvements From US 281 (Cage Blvd.) to Veterans Rd. (I-Road)
Design Engineer:	S&B Infrastructure, Ltd.
Description:	Approximately 1.03 miles of roadway improvements from US 281 (Cage Blvd.) to Veterans Rd. (I-Road)
Status:	Coordinating with TXDOT to finalize the Advance Funding Agreement and Working on the Environmental and Final Alignment Selection
Project Name:	W. Las Milpas Rd. Reconstruction
Design Engineer:	R. Gutierrez Engineering
Description:	Reconstruction of W. Las Milpas Road
Status:	Staff is working on acquiring the additional right of way needed. Design is approximately 90% Complete
Project Name:	Thomas Rd. Intersection Widening
Design Engineer:	R. Gutierrez Engineering.
Description:	Widening of the Thomas Road Intersections at Cage Blvd. and Jackson Rd.
Status:	Design is 90% Complete
Project Name:	Downtown Pharr Lights (Polk to IH-2)
Design Engineer:	City of Pharr Engineering Department.
Description:	Installation of decorative street lights from Polk St. to IH-2
Status:	Staff is coordinating with AEP so they can provide and install the decorative lights turn key.
Project Name:	Downtown Park
Design Engineer:	City of Pharr Engineering Department.
Description:	A new City Park adjacent to City Hall
Status:	Project is on Hold

DESIGN PHASE

Project Name:	Renovations of Jose "Pepe" Salinas Civic Center
Design Architect:	Diseño
Description:	Renovations of an approximately 16,000 s.f. facility
Status:	Selective Demolition will begin in June 2018
Project Name:	559 FY 15 DAP- Pharr Reyonsa Intl. Br. Northbound lane and 2nd BSIF Exit
Design Engineer:	TEDSI/Half Associates
Description:	Addition on 2 northbound lanes and a 2nd BSIF Exit.
Status:	Design is at 100% completion. Currently under review by CBP, GSA, and TXDOT
Project Name:	559 FY 16 DAP- Pharr Reyonsa Intl. Br. (Dock Expansion, Cold Inspection Facility, and Ag Training Center and Lab)
Design Engineer:	Half Associates
Description:	Construcion of a dry Dock Expansion, Cold Inspection Facility, and Ag Training Center and Lab
Status:	Design is at 60% Completion. Under Review by GSA, CBP

DESIGN PHASE

Project Name:	Bridge Facility Expansion & Toll Booth Improvements.
Design Engineer:	The Warren Group
Description:	Renovation and Expansion of the existing Bridge Building Facility
Status:	Project is Scheduled to be awarded on 6-4-18 Commission Meeting
Project Name:	Utility Relocation for Hike & Bike Tunnel under Veterans.
Design Engineer:	S&GE
Description:	Design of a new grinder pump station to eliminate a sanitary sewer utility conflict that resulted from the proposed Hike and Bike Tunnel under I-Road
Status:	Project is Scheduled to be awarded on 6-4-18 Commission Meeting
Project Name:	St. Jude Overflow Parking
Design Engineer:	City of Pharr Engineering Department.
Description:	Construction of an overflow parking on the property adjacent to St. Jude Catholic Church. Size of Parking lot is approximately 2 acres.
Status:	Design is complete. Staff is working with Public Works on the construction of the new parking lot.
Project Name:	Fire Station No. 1
Design Engineer:	The Warren Group
Description:	Design of a new Fire Station No. 1 located on FM 495 and Knights Dr.
Status:	Site Location has been finalized, and final design has begun

CONSTRUCTION PHASE



CONSTRUCTION PHASE

Project Name:	Owassa Road Reconstruction and Widening		
Engineer:	Tedsj		
Contractor	IOC, Company		
Contract Amount	\$5,206,108	Contract Time (Days)	438
Notice to Proceed	3/23/2017	Contract Time Used:	105.25%
Description: Widening of Owassa Rd between Jackson Rd and US 281 Frontage, and various drainage improvements.			
Status: Construction is ongoing. Anticipate Completion by mid June 2018			
Pictures:			
 			

Project Name:	Eldora Elevated Storage Tank Improvements		
Engineer	SG&E, LLC		
Contractor	Landmark		
Contract Amount	\$2,735,000	Contract Time (Days)	365
Notice to Proceed	4/21/2017	Contract Time Used:	118.36%
Description: Build a new 1 Million Gallon Composite Elevated Storage Tank			
Status: Construction is ongoing. Expected completion date is May 20, 2018			
Pictures:			
			
			

CONSTRUCTION PHASE

Project Name:	Pharr Nature Birding Center		
Engineer	Halff Associates		
Contractor	Davila Construction		
Contract Amount	\$2,390,000	Contract Time (Days)	270
Notice to Proceed	2/20/2018	Contract Time Used:	47.04%
Description: Construction of a new park.			
Status: Construction is ongoing.			
Pictures:			
			
			

CONSTRUCTION PHASE

Project Name:	Allen & William Arnonld Park		
Engineer	Halff Associates		
Contractor	Davila Construction		
Contract Amount	\$2,200,000	Contract Time (Days)	270
Notice to Proceed	2/20/2018	Contract Time Used:	47.04%
Description: Construction of a new Park			
Status: Construction is ongoing.			
Pictures:			
			
			

CONSTRUCTION PHASE

Project Name:	Dr. Long Park		
Engineer	Halff Associates		
Contractor	Davila Construction		
Contract Amount	\$1,500,000	Contract Time (Days)	270
Notice to Proceed	2/20/2018	Contract Time Used:	47.04%
Description: Construction of a new Park			
Status: Construction is ongoing.			
Pictures:			
			
			

CONSTRUCTION PHASE

Project Name:	Fire Station No. 4		
Engineer	Halff Associates		
Contractor	Davila Construction		
Contract Amount	\$1,500,000	Contract Time (Days)	270
Notice to Proceed	2/20/2018	Contract Time Used:	47.04%
Description: Construction of a new Fire Station in South Pharr			
Status: Construction is ongoing.			
Pictures:			
			
			



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 3.B.

DATE SUBMITTED: June 26, 2018

MEETING DATE: July 2, 2018

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: City Events of Interest.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 06/26/2018



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.A.

DATE SUBMITTED: June 26, 2018

MEETING DATE: July 2, 2018

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Approval of Minutes for June 18, 2018 Regular Called Meeting.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Minutes for meeting held on Monday, June 18, 2018.

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 06/26/2018
Final Approval - 06/29/2018

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JUNE 18, 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 18, 2018 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Ramiro Caballero
Comm. Roberto “Bobby” Carrillo
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
Karla Moya, Finance Director
Anali Alanis, HR Director
Rodolfo Martinez, Municipal Court Judge
Leonardo Perez, Fire Chief
Jose A. Luengo, Police Chief
Roland Gomez, Asst. Dev. Services Dir.
Ricardo Pedraza, Public Works Director
Jose Villescas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Adolfo Garcia, Library Director
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. PROCLAMATIONS

A) PROCLAMATION FOR HEALTHY SUMMER MEALS FOR KIDS DAY (ADMINISTRATION)

No one was present to receive proclamation.

B) PROCLAMATION PROCLAIMING NATIONAL HOME OWNERSHIP MONTH (GMCD)

Mayor read proclamation proclaiming June 2018 as National Home Ownership Month and presented proclamation to Brian Disque, McAllen Affordable Homes Chairman.

Mr. Disque stated Affordable Homes of South Texas was actively increasing home ownership opportunities for the people of Pharr and thanked the Commission for their support.

ITEM 3. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Kenneth Fletcher asked staff to review Sections 189.3(b) and 188(f) and voiced his concern with noise and light from Costco. He also voiced his concern with the amendment of the non-smoking ordinance and stated this was a health concern. Lastly, he spoke about trucks in south Pharr and stated citizens in south Pharr did not want trucks in their neighborhood.

Rosalie Tristan stated she was disappointed about the non-smoking ordinance. She stated her daughter passed away from second hand smoke and introduced her granddaughter who has raised funding for the American Heart Association to raise awareness. She would like to meet with the Mayor to discuss this issue and asked the Commission to reconsider passage of the ordinance.

Jerry Saavedra with the American Heart Association also asked the Commission to reconsider the amendment to the non-smoking ordinance. He stated two years ago the City of Pharr implemented the indoor smoking ban and went over the health dangers of second hand smoking. He stated even ventilation systems do not eliminate

MINUTES: REGULAR CALLED MEETING
JUNE 18, 2018

smoke and asked the City to eliminate smoking indoors. Lastly, he stated ninety-eight cities were comprehensive smoke free in the state and only two cities here in the Valley were considering banning indoor smoking.

At this time, Juan G. Guerra, City Manager, called upon Ed Wylie, Deputy City Manager, to explain the changes to the non-smoking ordinance.

Ed Wylie, Deputy City Manager, briefly explained the two changes were to add a separate ventilated system to prevent smoke from entering a nonsmoking area and not to regulate smoking at smoke bars.

Eddie Anaya stated he was a member of Valley Interfaith and St. Francis Cabrini Church spoke about item 5.I.4. He stated he was against the re-zoning and voiced his concern with a truck stop being next to the church and several schools. He stated the noise and chemicals would be a danger to the children attending CCD classes and asked the City to accept Planning & Zoning Commission's denial.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 4. CITY MANAGER'S REPORTS

A) SUBMISSION OF JUNE 2018 SALES TAX REPORT

Juan G. Guerra, City Manager, introduced the sales tax report for the month of June 2018 and stated sales tax were up 13.6%. He stated Karla Moya, Finance Director, was in the audience for any questions.

B) SUBMISSION OF MAY 2018 TAX COLLECTION REPORT

Juan G. Guerra, City Manager, introduced the tax collection report for the month of May 2018 and stated current property taxes were up. He stated the report was in their packets and any questions could be entertained at this time.

C) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, reported Pharr Police Department would be participating in the Community Hurricane Preparedness/Awareness Fair on Wednesday, June 27, 2018 from 9:00 a.m. to 1:00 p.m. at 1120 West Business 83, in Pharr.

MINUTES: REGULAR CALLED MEETING
JUNE 18, 2018

Juan G. Guerra, City Manager, also reported the Pharr Bridge would host a BridgeConnect session on Thursday, June 21, 2018 from 2:00 p.m. to 4:00 p.m. at the Pharr Development and Research Center to introduce the new state of the art toll system at the Pharr International Bridge. He further stated the Bridge has enhanced its toll collections to streamline customer operations.

Juan G. Guerra, City Manager, further reported Parks and Recreation Department would host Movies at the Park on Saturday, June 23, 2018 at Jones Box Park at sunset.

Juan G. Guerra, City Manager, reported the Greater Pharr Chamber of Commerce would host a Boots to Business Rebook workshop on June 29, 2018 from 8:00 a.m. to 5:00 p.m. at the Pharr Memorial Library. He stated the complimentary workshop was for veterans and their spouses looking to start or grow their businesses and would be presented by the U.S. Small Business Administration.

Juan G. Guerra, City Manager, invited everyone to attend the City of Pharr Independence Day Festival to be held on Saturday, June 30, 2018 at Dr. William Long Elementary. He stated this was a free family event with live music, food booths, kiddie rides and live fireworks.

At this time, Juan G. Guerra, City Manager, called upon Eloy Salazar, Assistant Fire Chief, to recognize several individuals from Public Utilities Department for their outstanding efforts in acting as first responders.

Eloy Salazar recognized Fernando J. Rodriguez, Abiel Saenz, and Ismael Navarro for assisting in a roll over incident on May 23, 2018 and presented them with a First Responders award.

Eloy Salazar also recognized Ismael Guerra, Noe Olivares, and Miguel Salazar for assisting a scaffold worker who sustained neck injuries due to a fall on May 25, 2018 and presented them with a First Responders award.

ITEM 5. CONSENT AGENDA

- A) APPROVAL OF MINUTES FOR MAY 29, 2018 REGULAR-SPECIAL CALLED MEETING, JUNE 4, 2018 REGULAR CALLED MEETING, AND JUNE 8, 2018 CITY COMMISSION WORKSHOP (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION ON INTERLOCAL AGREEMENT BETWEEN THE CITY OF PHARR AND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) FOR THE PHARR PEDESTRIAN CONNECTIONS 2017 PROJECT FUNDED THROUGH THE FEDERAL**

**TRANSIT ADMINISTRATION'S (FTA) SECTION 5310 PROGRAM
(ENGINEERING)**

- C) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO EXECUTE THE MONITORING EQUIPMENT SUPPLY AND MAINTENANCE AGREEMENT WITH GASES 101 FOR THE FIRE DEPARTMENT'S HAZARDOUS MATERIALS MONITORING EQUIPMENT (PROJECT #1718-01-515-IPQ001-003) (FIRE)**
- D) CONSIDERATION AND ACTION ON SPONSORSHIP FOR \$1,000 FOR HIDALGO ISD 5TH ANNUAL BACK-TO-SCHOOL RALLY ON THURSDAY, AUGUST 23, 2018. (ADMINISTRATION)**
- E) CONSIDERATION AND ACTION ON REQUEST FROM HIDALGO COUNTY DISTRICT ATTORNEY'S OFFICE TO WAIVE RENTAL FEES OF THE PHARR EVENTS CENTER ON THURSDAY, JULY 26, 2018 FROM 4:00 P.M. TO 8:00 P.M. FOR THE OBSERVATION OF "WORLD DAY AGAINST TRAFFICKING PERSONS" (EVENTS CENTER)**
- F) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS (RFQ) TO DEVELOP THE PHARR COMPREHENSIVE PEDESTRIAN SAFETY AND WELLNESS PLAN (ENGINEERING)**
- G) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS (RFQ'S) FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR 2018-2020 PROJECTS (ENGINEERING)**
- H) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR SANITARY SEWER MANHOLE REHABILITATION SERVICES (ENGINEERING)**
- I) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:**
 - 1. CENTRO CRISTIANO NUEVO PACTO REQUESTED A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A CHURCH IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1).THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOTS 1, 2 AND 3, BLOCK 20, HIDALGO PARK ESTATES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY'S PHYSICAL ADDRESS IS 7505 SOUTH STEVE LANE. CUP#180535**
 - 2. TEODORO SILVA 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 21, OAKLANE ESTATES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1019 WEST OAK LANE. CUP#180533**

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3. GARRETT MANN MANAGEMENT, LLC 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 LOT 304, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED 6000 BLOCK OF SOUTH VETERANS BOULEVARD. COZ#180538

4. MATERIALES CANTU, LLC. REQUESTED A CHANGE OF ZONE FROM HEAVY COMMERCIAL DISTRICT (H-C) TO LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 1, MATERIALES CANTU SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 7803 SOUTH CAGE BOULEVARD. COZ#180421

PLATS:

1. QUINTANILLA, HEADLEY AND ASSOCIATES, INC., REPRESENTING NOVUS POLARIS, INC., FERNANDO CALDERON, PRESIDENT, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED CAPE SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 5.45 ACRE TRACT OF LAND OUT OF LOT 135, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3108 NORTH SUGAR ROAD. SUB#161232

2. SAM ENGINEERING AND SURVEYING, INC., REPRESENTING JACINTO CANO AND WIFE, ALICE R. CANO, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED ANGELICA CANO SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1 LOT SUBDIVISION OUT OF A 0.35 ACRE TRACT OF LAND OR PORTION OF LOT 247, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED AT THE 800 BLOCK OF WEST EL RANCHO BLANCO ROAD. SUB#160409

Juan G. Guerra, City Manager, introduced the item and recommended approval of the consent agenda. He briefly explained item 1.4 was approval to deny as per Planning & Zoning Commission recommendation.

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

Ordinance No. O-2018-20 is filed with the City Clerk's Office.

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

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The time being 4:27 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 10. RECONVENE

The time being 6:10 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 6. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE APPOINTING A MUNICIPAL JUDGE AND ONE ALTERNATE MUNICIPAL JUDGE FOR THE CITY OF PHARR (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and recommended approval as discussed in closed session. He recommended appointment of Marissa Carranza-Hernandez as Municipal Judge and Rodolfo (Rudy) Martinez as Alternate Municipal Judge.

Comm. Medina moved to appoint Marissa Carranza-Hernandez as Municipal Judge and Rodolfo (Rudy) Martinez as Alternate Municipal Judge. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2018-21 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2016-45 APPOINTING A DEPUTY CRIMINAL PROSECUTOR FOR THE CITY OF PHARR MUNICIPAL COURT (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item and recommended reappointment of Jesse Zambrano effective January 1, 2018 to January 1, 2019.

Comm. Caballero moved to reappoint Jesse Zambrano as Deputy Criminal Prosecutor. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2018-22 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 (TABLED) (DEVELOPMENT SERVICES)

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

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

Juan G. Guerra, City Manager, recommended appointment of Jonathan Larraga.

Comm. Guajardo **moved** to appoint Jonathan Larraga as regular member to the Planning & Zoning Commission. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2018-35 is filed with the City Clerk's Office.

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

Juan G. Guerra, City Manager, introduced the item and recommended appointment of Ana Chavez.

Comm. Carrillo **moved** to appoint Ana Chavez to the Parks and Recreation Advisory Board. 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. Chavez abstained.

Resolution No. R-2018-36 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING SIX (6) REGULAR MEMBERS TO THE LIBRARY BOARD (LIBRARY)

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

F) 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

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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.

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

Resolution No. R-2018-37 is filed with the City Clerk's Office.

ITEM 7. ADMINISTRATIVE

- A) CONSIDERATION AND ACTION, IF ANY, ON PLAT DEFERRAL REQUEST FOR THE PROPERTY LEGALLY DESCRIBED AS BEING THE FIVE (5.0) ACRES OUT OF THE NORTH ONE-HALF (1/2) OF LOT 181, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS (DEVELOPMENT SERVICES)**

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

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

- B) CONSIDERATION AND ACTION, IF ANY, ON GOLF COURSE OPERATIONS (PARKS)**

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

- C) CONSIDERATION AND ACTION, IF ANY, ON BRIDGE OPERATIONS (ADMINISTRATION)**

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

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

- D) CONSULTATION WITH THE BOARD OF COMMISSIONERS ON REVIEW OF THE CITY'S ORGANIZATIONAL STRUCTURE (HR)**

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

ITEM 8. CONTRACTS/AGREEMENTS

- A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PHARR AND THE CITY OF EDINBURG FOR TRANSFERRING OF NON-USABLE RECYCLED ROAD BASE MATERIALS TO THE CITY OF EDINBURG LANDFILL AS PER TCEQ REQUIREMENTS (PUBLIC WORKS)**

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

- B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE STRADA GROUP FOR PROFESSIONAL ENGINEERING SERVICES RELATING TO GRANT PREPARATION SERVICES RELATED TO THE HAZARD MITIGATION GRANT PROGRAM (HMGP) (ENGINEERING)**

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

- 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) (TABLED) (ENGINEERING)**

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

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

At this time, Juan G. Guerra, City Manager, stated no action would be taken.

- D) CONSIDERATION AND ACTION, IF ANY, ON REJECTING ALL BIDS FOR THE PHARR INTERNATIONAL BRIDGE FACILITY EXPANSION AND RENOVATIONS PROJECT AND AUTHORIZING CITY MANAGER TO RE-ADVERTISE UNDER A COMPETITIVE SEALED PROPOSAL (PROJECT NO. 1718-70-510-C003-393) (ENGINEERING)**

Juan G. Guerra, City Manager, introduced the item and stated staff recommended to include sustainability and recommended approval.

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

E) CONSIDERATION AND ACTION, IF ANY, ON AWARD OF CONTRACT FOR THE HIKE AND BIKE SEWER ADJUSTMENT AND LIFT STATION NO. 1 FORCEMAIN DIVERSION (PROJECT NO. 1718-61-1253-01-C005-304) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and recommended to award contract to Ferguson Service Systems, Inc. for \$304,645.

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

F) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AWARD A SUPPLY CONTRACT FOR THE PURCHASE AND DELIVERY OF FUEL (PROJECT# 1718-01-517-SP002-59) (PUBLIC WORKS)

Juan G. Guerra, City Manager, introduced the item and recommended to award contract to Gold Star Petroleum.

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

G) CONSIDERATION, AND ACTION IF ANY, ON MEMORANDUM OF UNDERSTANDING WITH THE HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) TASK FORCE FOR APPLICATION OF TRANSFER OF FORFEITURE PROPERTY (POLICE)

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.

ITEM 11. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo moved to adjourn. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:15 p.m.

MINUTES: REGULAR CALLED MEETING
JUNE 18, 2018

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 18th 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:



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.B.

DATE SUBMITTED: June 19, 2018

MEETING DATE: July 2, 2018

FROM: Elva Guajardo, Administrative Assistant

DEPARTMENT: Parks

DIRECTOR: Sergio Alanis

Agenda Item: Consideration and action, if any, on Resolution entering into an agreement with TxDOT for street closures for the 2nd Annual Public Safety Memorial 5K Run/Walk on Saturday, August 4, 2018.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The City of Pharr wishes to enter into an agreement with TxDot for the closure of West US Highway 83 between Palm Drive and Aster Street for the 2nd Annual Public Safety Memorial 5K Run/Walk.

Financial Consideration: N/A

Staff Recommendation: City Commission approve this item.

Alternatives: N/A

ROUTING:

Elva Guajardo
Sergio Alanis
City Management Office

Created/Initiated - 06/19/2018
Approved - 06/26/2018
Final Approval - 06/29/2018

RESOLUTION R-2018-__

**A RESOLUTION OF THE CITY OF PHARR TEXAS, AUTHORIZING THE CITY TO
ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC
TRANSPORTATION FOR PUBLIC EVENT IN THE CITY LIMITS OF PHARR**

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, TEXAS;

That the City of Pharr wishes to enter into an agreement with the State of Texas, acting
by and through the Texas Department of Transportation for temporary closure of a
street for public event.

That the closure of West Old Business 83 between Palm Drive and Aster Street for the
purpose of conducting the 2nd Annual Public Safety Memorial 5K Run/Walk on
Saturday, August 4, 2018 from 8:00 a.m. to 11:00 a.m.

That all rules and procedures of 43 Tex. Adm. Code Section 22.12 have been
established for the temporary closure of a segment of the State highway system and
this agreement has been developed in accordance with the rules and procedures.

This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 2nd day of July 2018, by the Board of
Commissioners of the City of Pharr, Texas.

CITY OF PHARR

AMBROSIO "AMOS" HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.C.

DATE SUBMITTED: June 27, 2018

MEETING DATE: July 2, 2018

FROM: Karla Moya, Finance Director

DEPARTMENT: Finance

DIRECTOR: Karla Moya

Agenda Item: Consideration and action authorizing City Manager to advertise for Request for Proposals for City's Water Rate Study.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Municipalities perform Water Rate Study to analyze and determine current and future water rate based on Infrastructure needs and capacity.

City of Pharr last water rate study is outdated and would like to perform one as budgeted.

Financial Consideration: Amount budgeted is \$300,000

Staff Recommendation: To approve.

Alternatives:

ROUTING:

Karla Moya

Created/Initiated - 06/27/2018

Karla Moya

Approved - 06/27/2018

Patricia Rigney

Approved - 06/27/2018

Jose Villescas

Approved - 06/27/2018

City Management Office

Final Approval - 06/29/2018



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.D.

DATE SUBMITTED: June 28, 2018

MEETING DATE: July 2, 2018

FROM: Karla Moya, Finance Director

DEPARTMENT: Finance

DIRECTOR: Karla Moya

Agenda Item: Consideration and action authorizing City Manager to advertise for Request for Proposals for Capital Lease Financing Services for Bridge Camera System.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The City of Pharr is requesting permission to advertise to request proposals for lowest interest rates to finance Camera System for the Bridge that is quoted approximately at \$500,000.

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Karla Moya
Patricia Rigney
Karla Moya
City Management Office

Created/Initiated - 06/28/2018
Approved - 06/28/2018
Approved - 06/28/2018
Final Approval - 06/29/2018



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.E.

DATE SUBMITTED: June 25, 2018

MEETING DATE: July 2, 2018

FROM: Lizette Gomez, Risk Management Coordinator

DEPARTMENT: HR

DIRECTOR: Anali Alanis

Agenda Item: Consideration and action authorizing City Manager to advertise for Request for Proposals for Pharmacy Benefit Management.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: City of Pharr will be soliciting requests for proposals for the Pharmacy Benefit Management for an effective date of 1/1/19 to allow potential future cost savings.

Financial Consideration:

Staff Recommendation: Consent to allow advertisement of RFP for PBM for 2019 calendar year.

Alternatives:

ROUTING:

Lizette Gomez

Created/Initiated - 06/25/2018

Anali Alanis

Approved - 06/25/2018

Patricia Rigney

Approved - 06/27/2018

Karla Moya

Approved - 06/29/2018

Carolina Quintanilla

Approved - 06/29/2018

City Management Office

New -



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.F.

DATE SUBMITTED: June 28, 2018

MEETING DATE: July 2, 2018

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Consideration and action on Development Services Cases:

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 06/28/2018



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.F.1.

DATE SUBMITTED: June 26, 2018

MEETING DATE: July 2, 2018

FROM: Angie Resio, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Melden & Hunt Inc., representing Maria Elena Ramirez Lopez, Maria Teresa Ramirez Lopez and Maria Eugenia Ramirez Lopez, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1). The property is legally described as being 10 AC of the W352'-E660'-S1,237.5' out of Lot 82, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 1000 Block of East Minnesota Road. **COZ#180540**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: Melden & Hunt Inc., representing Maria Elena Ramirez Lopez, Maria Teresa Ramirez Lopez and Maria Eugenia Ramirez Lopez, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1). **COZ# 180540**

Financial Consideration: N/A

Staff Recommendation: Development Services is recommending approval of the request to re-zone to Single-Family Residential District (R-1) as the property meets area requirements has adequate ingress and egress. If approved, applicant must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission unanimously voted to approve the rezoning request from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) subject to staff's recommendations.

Alternatives: N/A

ROUTING:

Angie Resio

Created/Initiated - 06/26/2018

Roland Gomez

Approved - 06/27/2018

Melanie Cano

Approved - 06/27/2018

City Management Office

Final Approval - 06/29/2018



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: July 2, 2018

ROUTE TO BOARD:

☒ CITY COMMISSION AGENDA ITEM: COZ:#180540
☐ PLANNING & ZONING COMMISSION DATE SUBMITTED: May 31, 2018

1. **Applicant:** Melden & Hunt Inc., representing Maria Elena Ramirez Lopez, Maria Teresa Ramirez Lopez and Maria Eugenia Ramirez Lopez, owners.
2. **Requested Action:** Re-zoning request from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1).
3. **Nature / Intent of Request:** In order to develop the property into a single-family residential subdivision.

4. **Routing to Staff:**

A. Melanie Cano, Director



Initials

6/21/18 ☒ Approval ☐ Denial

Date

B. Planning Staff
 Recommendations



Initials

6/21/18 ☒ Approval ☐ Denial

Date

C. Planning and Zoning
 Commission

Initials

7/2/18 ☒ Approval ☐ Denial

Date

D. City Attorney

Initials

Date ☐ Approval ☐ Denial

E. City Manager

Initials

Date ☐ Approval ☐ Denial

MEMORANDUM

DATE: MONDAY, JULY 2, 2018

TO: MAYOR AND CITY COMMISSION

FROM: DEVELOPMENT SERVICES

THROUGH: JUAN GUERRA, CITY MANAGER

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1): Being 10 AC of the W352'-E660'-S1,237.5 out of Lot 82, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas. The property is physically located within the 1000 Block of East Minnesota Road.
--

REZONING CHECKLIST / GOALS:

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Melden & Hunt Inc., representing Maria Elena Ramirez Lopez, Maria Teresa Ramirez Lopez and Maria Eugenia Ramirez Lopez, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1).

The subject site is located on the north side of East Minnesota Road with the property physically located within the 1000 Block of East Minnesota Road. The property is legally described as being a 10 AC of the W352'-E660'-S1,237.5' out of Lot 82, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas.

The property fronts East Minnesota Road, an 80' major collector which runs east and west with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). The surrounding properties are zoned Agricultural and/or Open Space District (A-O) to the east and south, Single Family Residential District (R-1) to the west and Heavy Commercial District (H-C) to the north. The property is generally designated for single family residential use in the Land Use Plan.

On September 02, 1991, the subject site and surrounding properties were annexed into the city and zoned Agricultural and/or Open Space District (A-O). On January 17, 2006 the property to the west was zoned to Single-Family Residential District (R-1) and the property to the north was zoned to Heavy Commercial District (H-C) on April 21, 2015. There have been no other zoning requests within the general vicinity of the subject property since that time

The owner of the property is requesting a change of zone to Single-Family Residential District (R-1) in order to develop the property into a 48 lot single-family residential subdivision.

The Single-Family Residential District is intended to be composed of single-family dwellings together with public, denominational and private schools, churches and public parks essential to create basic neighborhood units. Areas that are zoned for this use shall have water, wastewater, drainage and access to paved streets based on single-family usage.

Forty (40) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. One person called in for information only.

Development Services is recommending **approval** of the request to re-zone to Single-Family Residential District (R-1) as the property meets area requirements has adequate ingress and egress. If approved, applicant must comply with all City Ordinances and City Department requirements.

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission unanimously voted to approve the rezoning request from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) subject to staff's recommendations.

CITY COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**



Pharr

Development Services



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Melden & Hunt Inc., representing Maria Elena Ramirez Lopez, Maria Teresa Ramirez Lopez and Maria Eugenia Ramirez Lopez

APPLICANT

1000 Block of East Minnesota Road

ADDRESS

Agricultural and/or Open Space District

CURRENT ZONE

Single-Family Residential District (R-1)

PROPOSED ZONE

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?	X	
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?	X	
8 Will a buffer be required?	X	
9 Is the proposed change in line with the Future Land Use Plan?	X	

STAFF RECOMMENDATIONS:

Approval

The property meets area requirements, has adequate ingress and egress.

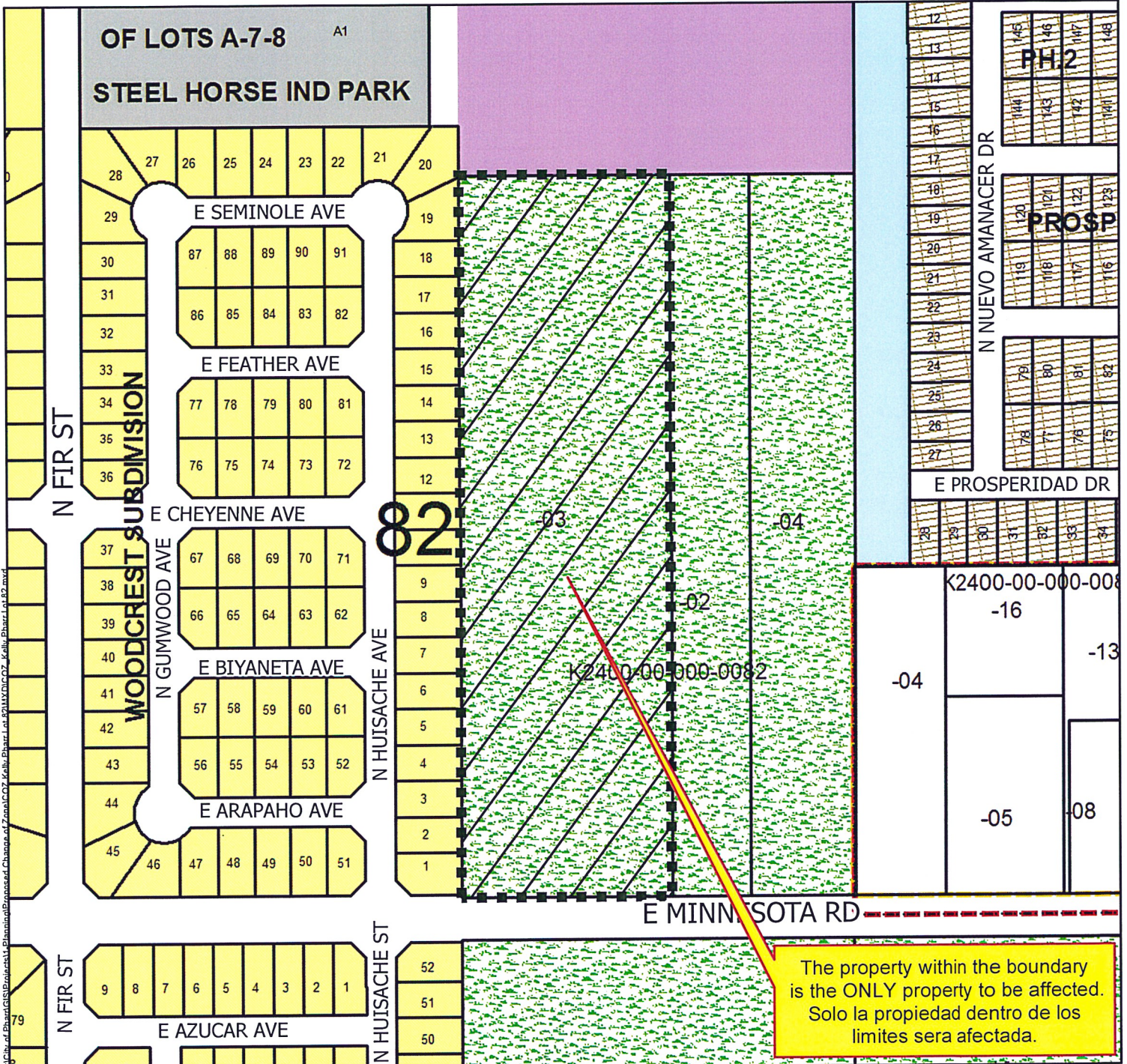
Della Robles, Planner I

PREPARED BY

June 20, 2018

DATE

Proposed Change of Zone
Kelly Pharr Lot 82
Mario Reyna
(A-O to R-1)

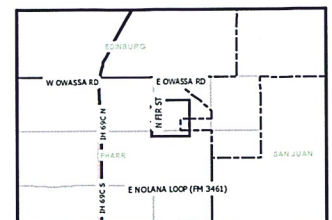
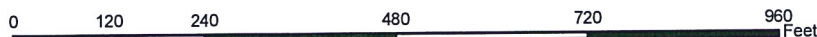


- | | | | |
|-----------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | Townhouse | Heavy Commercial | Valley View ISD |
| Single Family | HUD Code | Heavy Industrial | Planned Unit Development |
| Single Family Small Lot | Rail Road R.O.W. | Limited Industrial | |
| Two Family | Government Owned | Neighborhood Commercial | |
| Medium Density Multi-Family | General Business | Office Professional | |
| High Density Multi-Family | Business District | PSJA ISD | |
| Mobile Home | Drainage Easement | Hidalgo ISD | |

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

City of Pharr, Texas
Engineering Department
956.402.4242

Scale: 1 inch = 240 feet



Date: 6/4/2018

Proposed Change of Zone
Kelly Pharr Lot 82
Mario Reyna
(A-O to R-1)



- | | | |
|-----------------------------|-------------------|-------------------------|
| Agricultural Open Space | Townhouse | Heavy Commercial |
| Single Family | HUD Code | Heavy Industrial |
| Single Family Small Lot | Rail Road R.O.W. | Limited Industrial |
| Two Family | Government Owned | Neighborhood Commercial |
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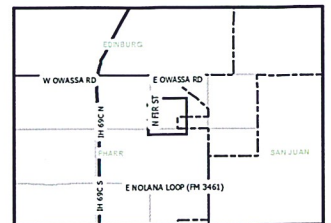
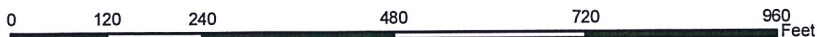
- | |
|--------------------------|
| Valley View ISD |
| Planned Unit Development |

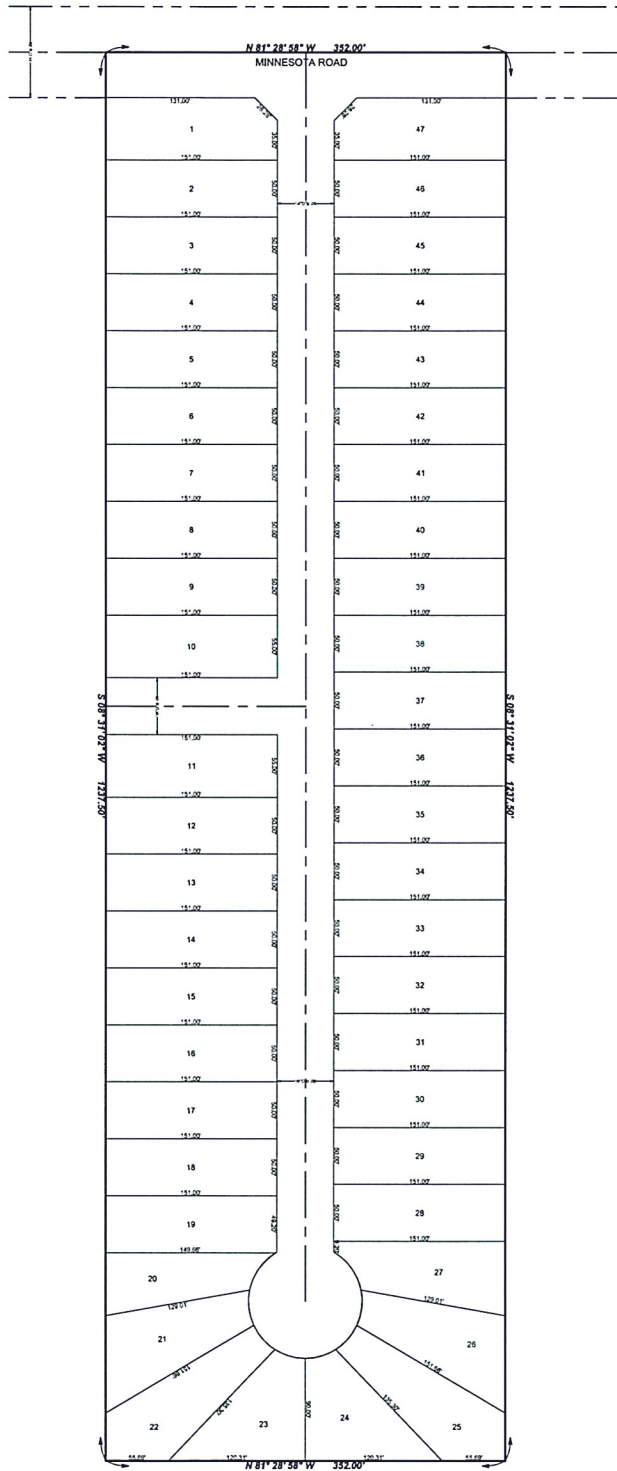
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 6/4/2018

Scale: 1 inch = 240 feet





MINNESOTA ROAD
DEVELOPMENT

MINNESOTA ROAD
PHARR, TEXAS
HIDALGO COUNTY

ENR. TECH. CESAR
PROJECT ENG. MARIO REYNA
T-BOOK T-1010, PG. 38
1. RELEASE DATE
2. RELEASE DATE
3. RELEASE DATE
SCALE AS NOTED

REVISION DATE BY
M MELDEN & HUNT INC.
CONSULTANTS & ENGINEERS
115 W. MAIN STREET
EDINBURGH, TX 78041
PH: (505) 381-0981 FAX: (505) 381-8229
115 W. MAIN STREET
EDINBURGH, TX 78041
PH: (505) 487-4356 FAX: (505) 488-8591
www.meldenandhunt.com

JOB No.
17089.00

DATE: 11/11/2008
BY: MARIO REYNA
SHEET 1 OF 1



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.F.2.

DATE SUBMITTED: June 26, 2018

MEETING DATE: July 2, 2018

FROM: Angie Resio, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Melden & Hunt, Inc., representing Pharr Economic Development Corporation II, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4). The property is legally described as being 7.69 acre tract of land out of North Lateral F-2, and 0.44 acre tract South of the North Lateral F-3, Block "D" Kelly Pharr Lettered Blocks, or a portion of Lots 2 and 3, Block "D", lying North of Lateral "F" Subdivision of Portions 69 and 70, Pharr, Hidalgo County, Texas. The property is physically located 601 West Polk Avenue. **COZ#180534**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: Melden & Hunt, Inc., representing Pharr Economic Development Corporation II, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4). **COZ# 180534**

Financial Consideration: N/A

Staff Recommendation: Development Services is recommending approval of the request to re-zone to High Density Multi-Family District (R-4) as the property meets area requirements and has adequate ingress and egress. If approved, applicant must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to approve the rezoning request from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4) subject to staff's recommendations.

Alternatives: N/A

ROUTING:

Angie Resio

Created/Initiated - 06/26/2018

Roland Gomez

Approved - 06/27/2018

Melanie Cano

Approved - 06/27/2018

City Management Office

Final Approval - 06/29/2018



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: July 2, 2018

ROUTE TO BOARD:

☒ CITY COMMISSION AGENDA ITEM: COZ:#180534
☐ PLANNING & ZONING COMMISSION DATE SUBMITTED: May 8, 2018

1. **Applicant:** Melden & Hunt, Inc., representing Pharr Economic Development Corporation II, owner.
2. **Requested Action:** Re-zoning request from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4).
3. **Nature / Intent of Request:** In order to construct multi-family units on said property.

4. **Routing to Staff:**

A. **Melanie Cano, Director**



Initials

6/21/18
Date

☐ Approval ☒ Denial

B. **Planning Staff
Recommendations**



Initials

6/21/18
Date

☐ Approval ☒ Denial

C. **Planning and Zoning
Commission**

Initials

7/2/18
Date

☐ Approval ☐ Denial

D. **City Attorney**

Initials

Date

☐ Approval ☐ Denial

E. **City Manager**

Initials

Date

☐ Approval ☐ Denial

MEMORANDUM

DATE: MONDAY, JULY 02, 2018

TO: MAYOR AND CITY COMMISSION

FROM: MELANIE CANO, DEVELOPMENT SERVICES DIRECTOR

THROUGH: JUAN GUERRA, CITY MANAGER

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4): Being 7.69 acre tract of land out of North Lateral F-2, and 0.44 acre tract South of the North Lateral F-3, Block "D" Kelly Pharr Lettered Blocks, or a portion of Lots 2 and 3, Block "D", lying North of Lateral "F" Subdivision of Porciones 69 and 70, Pharr, Hidalgo County, Texas. The property's physical address is 601 West Polk Avenue.

REZONING CHECKLIST / GOALS:

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Melden & Hunt, Inc., representing Pharr Economic Development Corporation II, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4).

The subject site is located on the south side of West Polk Avenue and the east side of North Flag Street with the property's physical address as 601 West Polk Avenue. The property is legally described as being 7.69 acre tract of land out of North Lateral F-2, and 0.44 acre tract South of the North Lateral F-3, Block "D" Kelly Pharr Lettered Blocks, or a portion of Lots 2 and 3, Block "D", lying North of Lateral "F" Subdivision of Porciones 69 and 70, Pharr, Hidalgo County, Texas.

The property fronts West Polk Avenue, an 80' major collector which runs east and west with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). The surrounding properties are zoned Agricultural and/or Open Space District (A-O) and High Density Multi-Family District (R-4) to the east, Two Family Residential District (R-2) to the west, Single Family Residential District (Small Lots) (R-1A) to the south and General Business District (C) and Single Family Residential District (R-1) to the north. The property is generally designated for single family residential use in the Land Use Plan.

On March 30, 1982, the subject site and a portion to the east was zoned as Agricultural and/or Open Space District (A-O), a portion of the property to the north was zoned to General Business District (C), the remaining property to the north and the property to the south was zoned to both Single Family Residential District (R-1) and Single Family Residential District (Small Lots) (R-1A) and the property to the west was zoned to Two Family Residential District (R-2), when the city adopted the current Zoning Ordinance used today. A portion of the property to the east was later re-zoned from Two Family Residential District (R-2) to High Density Multi-Family District (R-4) on August 19, 2008. There have been no other zoning requests within the general vicinity of the subject property since that time

The owner of the property is requesting a change of zone to High Density Multi-Family District (R-4) in order to develop and construct multi-family units on said property.

The High Density Multi-Family District (R-4) is established to provide adequate space and site diversification for higher density apartment complexes, including high-rise apartments and complexes with a number of buildings on the same tract of land. This zone allows higher density developments and where there is increased water capacity, fire protection, wastewater, and drainage capacity. Higher density multi-family developments are not a buffer between single-family and commercial uses and should be properly buffered.

Thirty-two (32) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Four (4) individuals signed up to speak at the Public Hearing in opposition of the item.

Development Services is recommending approval of the request to re-zone to High Density Multi-Family District (R-4) as the property meets area requirements and has adequate ingress and egress. If approved, applicant must comply with all City Ordinances and City Department requirements.

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission voted unanimously to **approve** the rezoning request from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4) subject to staff's recommendations.

CITY COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**



Pharr

Development Services



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Melden & Hunt, Inc., representing Pharr Economic Development Corporation II.

APPLICANT

601 West Polk Avenue

ADDRESS

Agricultural and/or Open Space District

CURRENT ZONE

High Density Multi-Family District (R-4)

PROPOSED ZONE

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?	X	
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?	X	
8 Will a buffer be required?	X	
9 Is the proposed change in line with the Future Land Use Plan?		X

STAFF RECOMMENDATIONS:

Approval

The property meets area requirements, has adequate ingress and egress.

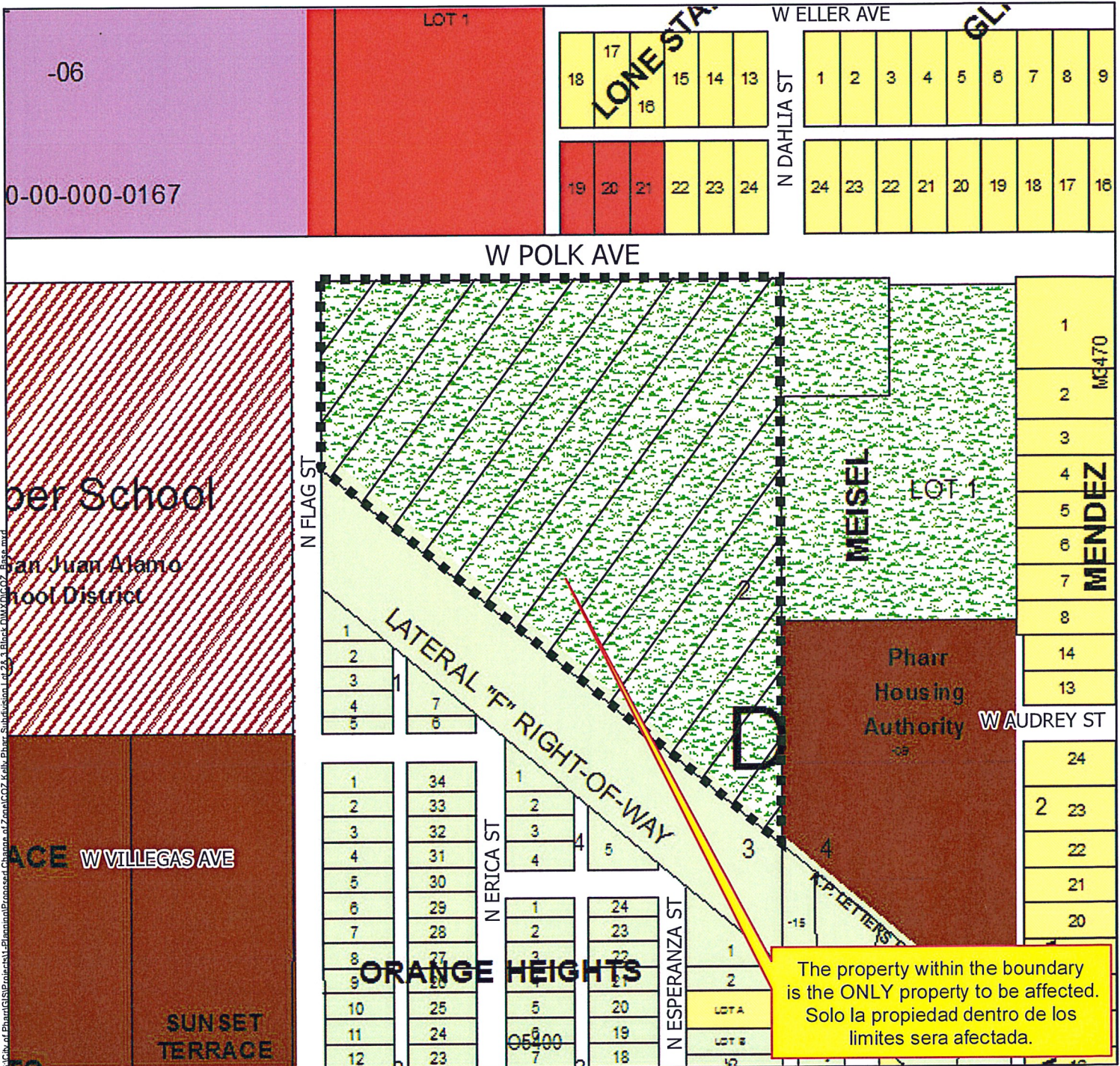
Della Robles, Planner I

PREPARED BY

June 20, 2018

DATE

Proposed Change of Zone
 Kelly Pharr Subdivision Lots 2&3 Block D
 Mario Reyna/ Melden + Hunt Inc
 (AO) to (R4)

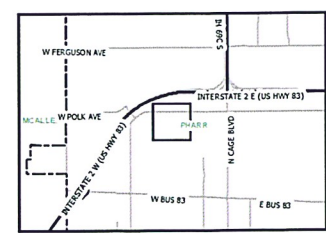


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|-----------------------------|-------------------|-------------------------|
| Agricultural Open Space | Townhouse | Heavy Commercial |
| Single Family | HUD Code | Heavy Industrial |
| Single Family Small Lot | Rail Road R.O.W. | Limited Industrial |
| Two Family | Government Owned | Neighborhood Commercial |
| Medium Density Multi-Family | General Business | Office Professional |
| High Density Multi-Family | Business District | PSJA ISD |
| Mobile Home | Drainage Easement | Hidalgo ISD |

- Valley View ISD
- Planned Unit Development

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

Scale: 1 inch = 200 feet



Proposed Change of Zone
 Kelly Pharr Subdivision Lots 2&3 Block D
 Mario Reyna/ Melden + Hunt Inc
 (AO) to (R4)



- | | | |
|-----------------------------|-------------------|--------------------------|
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| Mobile Home | Drainage Easement | Hidalgo ISD |
| | | Valley View ISD |
| | | Planned Unit Development |

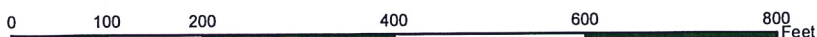
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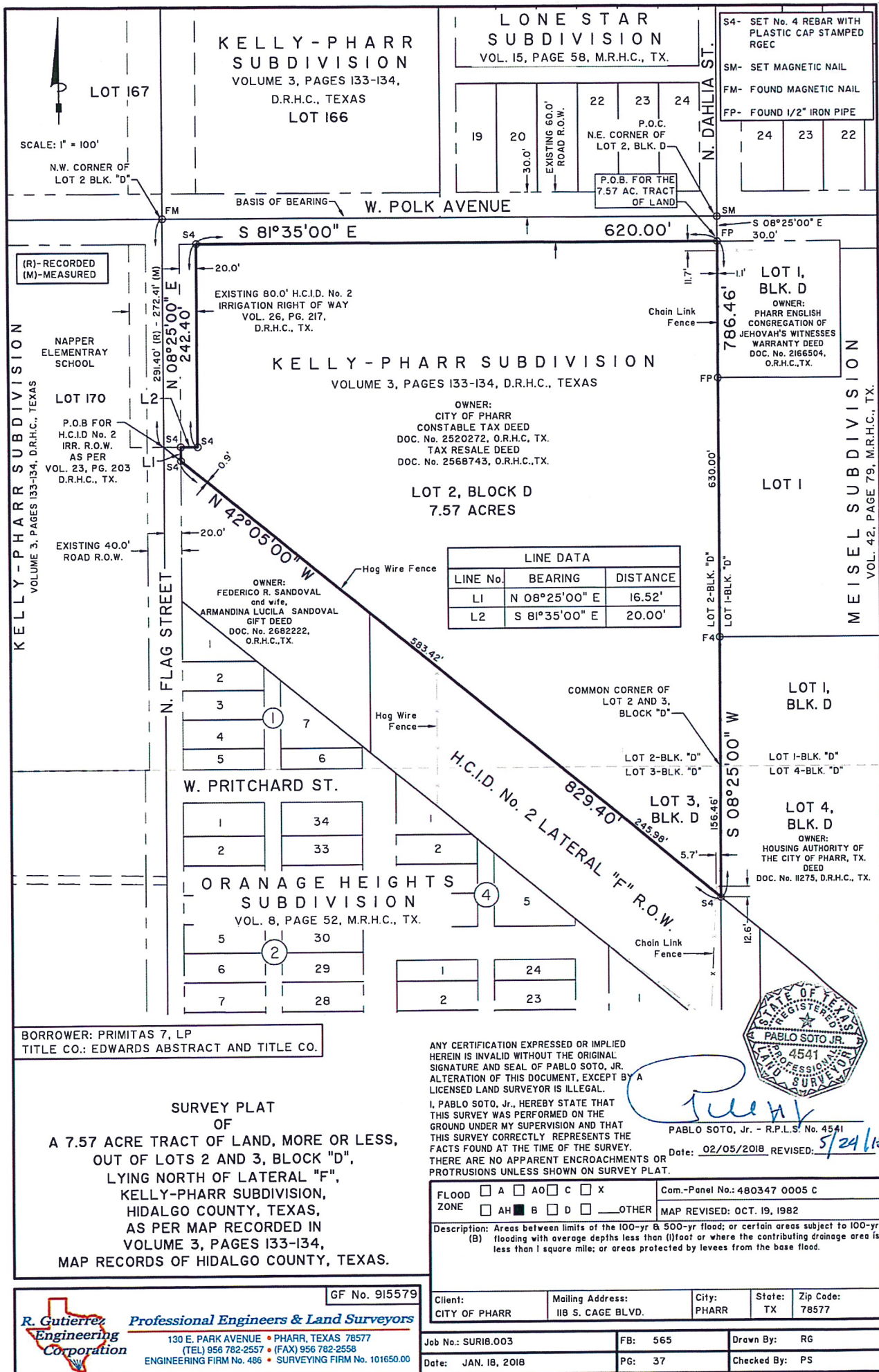


City of Pharr, Texas
 Engineering Department
 956.402.4242

Date: 5/11/2018

Scale: 1 inch = 200 feet







AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.F.3.

DATE SUBMITTED: June 26, 2018

MEETING DATE: July 2, 2018

FROM: Angie Resio, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Jose Ruben Mendez, d/b/a 100% Antojitos Mexicanos, is requesting 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 being a 0.04 acre tract of land out of Lot 1, Jackson Ridge Court Phase 2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1201 South Jackson Road, Suite 9. **CUP# 140525**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: Jose Ruben Mendez, d/b/a 100% Antojitos Mexicanos, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). **CUP# 140525**

Financial Consideration: N/A

Staff Recommendation: Development Services is recommending approval of the request for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

Alternatives: N/A

ROUTING:

Angie Resio

Roland Gomez

Melanie Cano

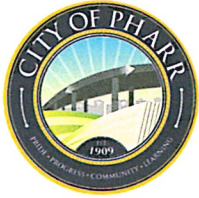
City Management Office

Created/Initiated - 06/26/2018

Approved - 06/27/2018

Approved - 06/27/2018

Final Approval - 06/29/2018



Pharr



MAYOR Ambrosio Hernández, MD | CITY MANAGER Juan G. Guerra, CPA

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero, MD | Daniel Chavez | Ricardo Medina | Mario Bracamontes

Executive Summary Letter

July 03, 2018

Conditional Use Permit **Renewal** for ABC –

100% Antojitos Mexicanos

Background:

Jose Ruben Mendez, d/b/a 100% Antojitos Mexicanos, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 5th renewal for 100% Antojitos Mexicanos.

The property is located at 1201 South Jackson Road, Suite 9. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the request for renewal of the Conditional Use Permit to allow the sale of alcoholic beverage for on-premise consumption subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.

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MEMORANDUM

DATE: JULY 2, 2018

TO: MAYOR AND CITY COMMISSION

FROM: MELANIE CANO, DIRECTOR OF DEVELOPMENT SERVICES

THROUGH: JUAN GUERRA, CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT RENEWAL FOR ABC – FILE NO. CUP#140525 (100% ANTOJITOS MEXICANOS)
--

GENERAL INFORMATION:

APPLICANT: Jose Ruben Mendez, d/b/a 100% Antojitos Mexicanos, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being a 0.04 acre tract of land out of Lot 1, Jackson Ridge Court Phase 2 Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1201 South Jackson Road, Suite 9.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, south, and east, and Pharr City Limits lie to the west. The area is generally designated for commercial use in the Land Use Plan.

COMMENTS: **POLICE CHIEF:** Recommends approval of the Conditional Use Permit.

FIRE DEPARTMENT:

Recommends approval of the Conditional Use Permit.

**CODE COMPLIANCE
DIVISION:**

Recommends approval of the Conditional Use Permit.

HEALTH DIVISION:

Recommends approval of the Conditional Use Permit.

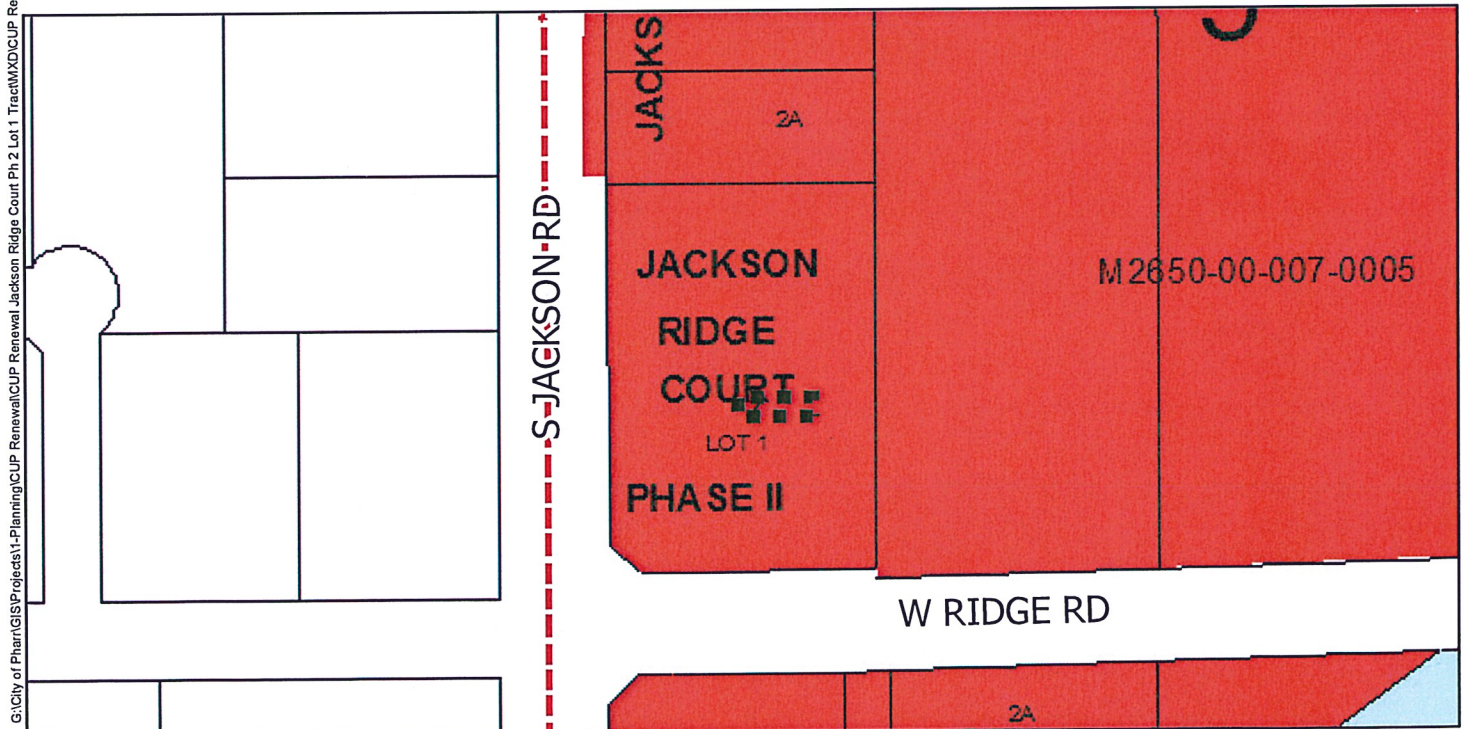
PLANNING DIVISION:

Recommends approval of the Conditional Use Permit.

**DEVELOPMENT
SERVICES
RECOMMENDATIONS**

Development Services is recommending **approval** of the request for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

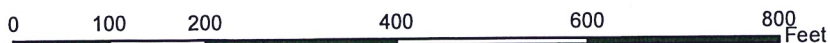
Conditional Use Permit Renewal
 Jackson Ridge Court Ph 2 .04 Ac of Lot 1
 100% Antojitos Mexicanos / Jose Ruben Mendez



- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |

City of Pharr, Texas
 Engineering Department
 956.702.5355

Scale: 1 inch = 200 feet



Date: 5/17/2018



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.A.

DATE SUBMITTED: June 26, 2018

MEETING DATE: July 2, 2018

FROM: Rita Galvan, Secretary

DEPARTMENT: Development Services

DIRECTOR:

Agenda Item: Consideration and action, if any, on Ordinance amending Ordinance No. O-2018-19 (smoking ordinance). (***Adoption on 1st Reading***)

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: City of Pharr finds that amendment to the City's current smoking ordinance under Chapter 62, "Health & Sanitation", Article VI, Smoking Regulations is necessary to protect the public health and welfare by prohibiting smoking in public places and places of employment.

Financial Consideration:

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Rita Galvan
Roland Gomez
Melanie Cano
Patricia Rigney
City Management Office

Created/Initiated - 06/26/2018
Approved - 06/28/2018
Approved - 06/28/2018
Approved - 06/28/2018
Final Approval - 06/29/2018

AN ORDINANCE AMENDING ORDINANCE NO. O-2018-19; CHAPTER 62, "HEALTH AND SANITATION", ARTICLE VI, SMOKING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF PHARR IN ORDER TO PROVIDE REGULATIONS PROHIBITING SMOKING OF TOBACCO PRODUCTS AND ELECTRONIC SMOKING MATERIALS IN CERTAIN ENCLOSED AND NON-ENCLOSED AREAS WITHIN THE CITY LIMITS; PROHIBITING SMOKING ON CITY PREMISES AND OTHER PROPERTY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR EFFECTIVE DATE AND PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR A PENALTY; PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Pharr is a home rule municipality established by its Charter and the laws of Texas; and,

WHEREAS, it is the intent of the City to protect the health, safety, welfare, and wellbeing of its citizens; and,

WHEREAS, the 2006 U.S. Surgeon General's Report, The Health Consequences of Involuntary Exposure to Tobacco Smoke, has concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory symptoms and slows lung growth in their children; (3) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) there is no risk-free level of exposure to secondhand smoke; (5) establishing smoke-free workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and (6) evidence from peer-reviewed studies shows that smoke-free policies and laws do not have an adverse economic impact on the hospitality industry; and,

WHEREAS, according to the 2010 U.S. Surgeon General's Report, How Tobacco Smoke Causes Disease, even occasional exposure to secondhand smoke is harmful and low levels of exposure to secondhand tobacco smoke lead to a rapid and sharp increase in dysfunction and inflammation of the lining of the blood vessels, which are implicated in heart attacks and stroke; and,

WHEREAS, according to the 2014 U.S. Surgeon General's Report, The Health Consequences of Smoking – 50 Years of Progress, secondhand smoke exposure causes stroke in nonsmokers and the report also found that since the 1964 Surgeon General's Report on Smoking and Health, 2.5 million nonsmokers have died from diseases caused by tobacco smoke; and,

WHEREAS, numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of

disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, lung cancer and the National Cancer Institute determined in 1999 that secondhand smoke is responsible for the early deaths of approximately 53,000 Americans annually; and,

WHEREAS, the City of Pharr finds that smoking tobacco is a form of air pollution, a positive danger to health and a material public nuisance; and,

WHEREAS, the City of Pharr finds that amendment to the City's current smoking ordinance under Chapter 62, "Health & Sanitation", Article VI, Smoking Regulations is necessary to protect the public health and welfare by prohibiting smoking in public places and places of employment.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:

ARTICLE VI, SMOKING REGULATIONS

SECTION 62-200. DEFINITIONS.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

BAR means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

BUSINESS means a sole proprietorship, partnership, joint venture, corporation, or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered.

CIGARETTE VENDING MACHINE means any self-service device which, upon insertion of coin(s), paper currency, token(s), card(s) or key(s) or any other item(s) dispenses one (1) or more cigarettes, as defined above, provided that the term shall neither be deemed to include any machine that is in storage, in transit or otherwise not set up for use and operation nor be deemed to include any machine that is situated on a train, bus or other public conveyance.

COMEDY CLUB means an establishment that is primarily used for live comedic entertainment.

EMPLOYEE means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for a non-profit entity.

EMPLOYER means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one (1) or more individual persons.

ENCLOSED AREA means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways), which extend from the floor to the ceiling.

HEALTH CARE FACILITY means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing

homes, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.

PARK includes neighborhood/community/large urban/natural area and greenways/sports complex parks that are the basic unit of a park system and are recreational and social centers for those living in the nearby service area or from several neighborhoods and possibly may serve a broader community-based recreation need. Parks include areas that preserve unique landscapes and open spaces and include features that emphasize harmony with the natural environment. Parks include areas that accommodate group activities and recreational facilities, consolidated programmed athletic fields, and their associated facilities.

PLACE OF EMPLOYMENT means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a "place of employment" unless it is used as a child care, adult day care, or health care facility.

PRIVATE CLUB means an organization, whether incorporated or not, which:

- (1) Is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times;
- (2) Is operated solely for a fraternal purpose but not for pecuniary gain;
- (3) Only sells alcoholic beverages incidental to its operation;
- (4) Conducts its affairs and management through a board of directors, executive committee, or similar body chosen by the members at an annual meeting;
- (5) Has established bylaws or a constitution to govern its activities; and
- (6) Has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. Section 501.

PUBLIC PLACE means an enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, bars, bingo facilities, educational facilities, gaming facilities, health care facilities, hotels and motels, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a "public place" unless it is used as a child care, adult day care, or health care facility.

RESTAURANT means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.

RETAIL CIGAR BAR means an establishment in which the onsite sales or rentals of tobacco products and smoking accessories for consumption or use on the premises exceeds 20% of gross revenues, and in which the sales of other products, including food and beverages does not exceed 40% of gross

revenues, and into which entry is restricted to individuals 18 years of age and above.

RETAIL TOBACCO STORE means a retail store utilized primarily for the sale of tobacco products, smoking implements, or smoking accessories for on-premises consumption and in which the sale of other products is merely incidental, which shall include but not be limited to hookah lounges, and humidors. In this definition, “primarily” means that the sale of tobacco products, smoking implements or smoking accessories shall be at least 65% of the total sales revenues

SHOPPING MALL means an enclosed public walkway or hall area that serves to connect retail or professional establishments.

SERVICE LINE means any line at which one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money, including, but not limited to, ATM lines, concert lines, food vendor lines, movie ticket lines, and sporting event lines.

SMOKE means the gases, particles or vapors released into the air as a result of combustion, electrical ignition or vaporization, including from an electronic smoking device, when the purpose of the combustion, electrical ignition or vaporization is human inhalation of the gases, particles or vapors. Smoke does not mean the combustion of material solely for olfactory purposes that does not contain any tobacco or nicotine.

SMOKING means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, including electronic cigarette, pipe, or any other lighted or heated tobacco, nicotine or plant product intended for inhalation, in any manner or in any form, including vaping.

SPORTS ARENA means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events.

SECTION 62-201. APPLICATION OF CHAPTER TO CITY-OWNED FACILITIES.

All enclosed facilities, including buildings and vehicles owned, leased, or operated by the city, shall be subject to the provisions of this chapter.

SECTION 62-202. PROHIBITION OF SMOKING IN PUBLIC PLACES.

Smoking shall be prohibited in all enclosed public places within the city, including but not limited to, the following places:

- (1) Aquariums, galleries, libraries, and museums;
- (2) Areas available to and customarily used by the general public in businesses and non- profit entities patronized by the public, including but not limited to, professional offices, banks, laundromats, hotels, and motels;
- (3) Bars;
- (4) Billiard halls;
- (5) Bingo facilities;

- (6) Comedy clubs;
- (7) Convention facilities;
- (8) Elevators;
- (9) Facilities primarily used for exhibiting a motion picture, stage, drama, lecture, musical recital, or other similar performance;
- (10) Gaming facilities;
- (11) Health care facilities;
- (12) Childcare and adult day care facilities;
- (13) Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities;
- (14) Polling places;
- (15) Public transportation facilities, including buses and taxicabs, and ticket, boarding, and waiting areas of public transit depots;
- (16) Restaurants, (except for outdoor seating areas) as smoking in accordance with subsection 62-209 (d);
- (17) Restrooms, lobbies, reception areas, hallways, and other common-use areas;
- (18) Retail stores;
- (19) Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee or council of the city or a political subdivision of the state when a public meeting is in progress, to the extent the place is subject to the jurisdiction of the city;
- (20) Shopping malls; and
- (21) Sports arenas, including enclosed areas in outdoor arenas.

SECTION 62-203. PROHIBITION OF SMOKING IN PLACES OF EMPLOYMENT.

- (a) Smoking shall be prohibited in all enclosed areas within places of employment. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, and all other enclosed areas.
- (b) This prohibition on smoking shall be communicated by employers to all existing employees by effective date of this chapter, and to all prospective employees upon their application for employment.

- (c) It shall be the responsibility of employers to provide a smoke-free workplace for all employees.

SECTION 62-204. DISTRIBUTION, DISPLAY AND SALE OF TOBACCO PRODUCTS, AND CIGARETTE MACHINES.

- (a) Distribution, display, and sale of smoking tobacco products or smoking paraphernalia on any public right-of-way, City Park or any city-owned building or facility is hereby prohibited.
- (b) Cigarette vending machines.
 - (1) Subject to the defenses provided in subsection (2) below, it shall be unlawful for any business owner, manager and employee in control of cigarette vending machines within the city to intentionally, knowingly, recklessly, or with criminal negligence allow the display or use of any cigarette vending machine upon any property within the city.
 - (2) It is a defense to prosecution under the provisions of this subsection (b) that:
 - a. The cigarette vending machine is situated in a premise where entry by any person under eighteen (18) years of age is prohibited by law, or
 - b. The cigarette vending machine is located in a workplace with the permission of the employer, provided that the employer has no persons under the age of eighteen (18) years employed at the workplace, and further provided that the cigarette vending machine is situated at a location within the workplace to which persons other than those employed at the workplace are not permitted to have access.
 - (3) Penalty. A violation of this subsection is hereby declared to be a misdemeanor crime, and upon conviction, shall be punishable by a fine of not more than two thousand dollars (\$2,000.00).

SECTION 62-205. PROHIBITION OF SMOKING IN OUTDOOR AREAS.

Smoking shall be prohibited in the following outdoor places:

- (1) Within a reasonable distance of twenty (20) feet outside entrances, operable windows and ventilation system of enclosed areas, where smoking is prohibited so as to ensure tobacco smoke does not enter those areas;
- (2) Zoo facilities and grounds;
- (3) In, and within twenty (20) feet of, all outdoor sports arenas, stadiums, and amphitheaters;
- (4) In, and within twenty (20) feet of, all outdoor public transportation stations, platforms, and shelters under the authority of the city;
- (5) In, and within twenty (20) feet of, all pavilions and playgrounds located within city- owned parks;
- (6) Within the public right-of-way and any seating located within the public right-of-way or on other

city-owned property along the entire parade route of all city-sponsored parades for a period beginning two (2) hours before the start of each parade until one hour after the conclusion of each parade. This prohibition will not apply to those areas where smoking is permitted under 62-206(3) or to any other private property.

- (7) In all outdoor service lines.
- (8) In outdoor common areas of nursing homes, except in designated smoking areas, which must be located at least ten feet outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited.

SECTION 62-206. WHERE SMOKING NOT REGULATED.

Notwithstanding any other provision of this chapter to the contrary, the following areas shall be exempt from the provisions of sections 62-202, 62-203 and 62-204:

- (1) Hotel and motel rooms that are rented to guests and are designated as smoking rooms; provided, however, that not more than twenty-five (25) percent of rooms rented to guests in a hotel or motel may be so designated;
- (2) Outdoor areas except those listed specifically in the provisions in section 62-205;
- (3) Outdoor seating areas of restaurants designated as smoking areas in accordance with subsection 62-209 (d);
- (4) Private clubs in existence as of the effective date of this chapter, and as defined in 62-200, including Veterans of Foreign War (VFW) posts;
- (5) Private residences, except when used as a child care, adult day care, or health care facility;
- (6) Retail tobacco stores; provided, however, that smoke from these places does not infiltrate into areas where smoking is prohibited under the provisions of this chapter; and
- (7) Tobacco product manufacturing facilities.
- (8) A Retail Cigar Bar provided that the onsite sales or rentals of tobacco products and smoking accessories for consumption or use on the premises exceeds 20% of gross revenues, and the sales of other products, including food and beverages does not exceed 40% of gross revenues, and entry is restricted to individuals 18 years of age and above.

SECTION 62-207. PERSONS UNDER AGE OF EIGHTEEN (18) YEARS IN SMOKING AREA.

Notwithstanding any other provision of this chapter, persons under the age of eighteen (18) years may be admitted in establishments, facilities or other areas that allow smoking in accordance with the provisions of this chapter if such persons are accompanied by their parent or legal guardian.

SECTION 62-208. DECLARATION OF ESTABLISHMENT AS NONSMOKING.

Notwithstanding any other provision of this chapter, an owner, operator, manager, or other person in

control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of subsection 62-209(a) and (b) of this chapter is posted.

SECTION 62-209. POSTING OF SIGNS.

- a. "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this chapter, by the owner, operator, manager, or other person in control of that place.
- b. Every public place and place of employment where smoking is prohibited by this chapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.
- c. All ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited by this chapter by the owner, operator, manager, or other person having control of the area.
- d. Areas which are exempt from the provisions of sections 62-202 and 62-203 of this Chapter shall post a standard sign at each entrance, to be designated by the city informing potential patrons that the area allows smoking, and warning patrons of the negative health effects associated with secondhand smoke.
- e. The city will provide the signs required under subsection 62-209 (d) to the owners or operators required to comply with subsection 62-209 (d) at a reasonable and appropriate cost.

SECTION 62-210. RETALIATION PROHIBITED.

No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this chapter or reports or attempts to prosecute a violation of this chapter.

SECTION 62-211. ENFORCEMENT.

- (a) The Police Department, Fire Department and Code Compliance Division, in addition to any authority having jurisdiction to enforce city ordinances, shall have authority to enforce the provisions of this chapter.
- (b) Any citizen who desires to register a complaint under this chapter may initiate enforcement with the Police Department.
- (c) The Police Department, Fire Department and Code Compliance Division, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this chapter.
- (d) An owner, manager, operator, or employee of an establishment regulated by this chapter shall inform persons violating this chapter of the appropriate provisions thereof.
- (e) Notwithstanding any other provision of this chapter, an employee or private citizen may bring

legal action to enforce this chapter.

- (f) In addition to the remedies provided by the provisions of this section, the Police Department, Fire Department, Code Compliance Division, or their designees, or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this chapter may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

SECTION 62-212. VIOLATIONS AND PENALTIES.

Any person, firm, corporation, agent, employer or employee who intentionally, knowingly, recklessly or with criminal negligence violates any provision of this chapter shall, upon conviction, be fined an amount not more than two hundred dollars (\$200.00); provided, however, that in the event a defendant has previously been convicted under this chapter, such defendant shall be fined an amount not more than five hundred dollars (\$500.00) for a second conviction hereunder, and shall be fined an amount not more than two thousand dollars (\$2,000.00) for a third conviction hereunder and for each conviction thereafter. Each day that a violation is committed or permitted to exist shall constitute a separate offense.

SECTION 62-213. ADDITIONAL FEES FOR RESTAURANTS.

A reasonable fee to cover staff costs associated with inspections and program expenses may be charged by the city to the owner or operator of a restaurant in order to establish that outdoor seating areas of restaurants designated as smoking areas are so designated in accordance with subsections 62-202(16) and 62-209 of this chapter.

SECTION 62-214. GOVERNMENTAL AGENCY COOPERATION.

The city manager shall annually request other governmental and educational agencies having facilities within the city to establish local operating procedures in cooperation and compliance with this chapter. This includes urging all federal, state, county and school district agencies to update their existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke.

SECTION 62-215. OTHER APPLICABLE LAWS.

This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

SECTION II. REPEALER CLAUSE:

This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION III. SAVINGS CLAUSE:

If any section, part, or provision of this Ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Commission in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance

shall not be affected thereby and they shall remain in full force and effect.

SECTION IV. PUBLICATION AND EFFECTIVE DATE:

The importance of the subject matter of this Ordinance is such as to create an emergency and the reading of this ordinance on three (3) separate readings is hereby waived and dispensed with and this Ordinance shall take effect and be in force from and after its passage and approval in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary may also be in caption form as allowed under Section 9 of the Pharr City Charter.

SECTION V. CODIFICATION:

The contents of Section I of this Ordinance shall be published in the appropriate location of the Code of Ordinances of the City of Pharr, Texas.

SECTION VI. PROPER NOTICE AND MEETING:

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the _____ day of _____, 2018.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.B.

DATE SUBMITTED: June 27, 2018

MEETING DATE: July 2, 2018

FROM: Rita Galvan, Secretary

DEPARTMENT: Development Services

DIRECTOR:

Agenda Item: Consideration and action, if any, on Ordinance creating a temporary exemption from permit fees for the properties that were damaged as a result from the recent rain events. *(Adoption on 1st Reading)*

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Due to the recent rain events that occurred, wide spread damage has been reported throughout the City of Pharr and in the interest of helping residents and business owners the City hereby takes proper action to alleviate taxpayers and habitants for partial and temporary exemption from permit fees.

Financial Consideration:

Staff Recommendation: Staff recommends approval of the ordinance.

Alternatives:

ROUTING:

Rita Galvan

Created/Initiated - 06/27/2018

Roland Gomez

Approved - 06/27/2018

Melanie Cano

Approved - 06/27/2018

Patricia Rigney

Approved - 06/27/2018

City Management Office

New -

ORDINANCE NO: 0-2018-_____

AN ORDINANCE AMENDING O-2008-36 CREATING A TEMPORARY SIXTY (60) DAY EXEMPTION FROM PERMIT FEES FOR CONSTRUCTION, REPAIR, AND REMODELING OF STRUCTURES PROXIMATELY RESULTING FROM HEAVY RAIN EVENTS FROM JUNE 20-21, 2018; SUSPENSION OF APPLICABLE FEES AS CONTAINED IN THE PHARR CODE OF ORDINANCES AND RELATED ORDINANCES; PUBLIC AWARENESS; INCLUSION IN PHARR CODE OF ORDINANCES; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE

WHEREAS, wide spread damage has been reported throughout the Rio Grande Valley Counties after heavy rains swept through South Texas. The City of Pharr unfortunately was no exception and was not spared from the damage;

WHEREAS, acts of God including but not limited to weather and natural disasters threaten the safety of communities with little or no warning;

WHEREAS, the City of Pharr shall have a system of warning its people should circumstances occur in the future that warrant and necessitate such protective and corrective action;

WHEREAS, the City of Pharr desires to be a City that has a quality of life that is comfortable and quite for all residents and visitors;

WHEREAS, in the interest of helping the residents and business owners of Pharr that were affected by recent heavy rains, the City of Pharr hereby takes the following action to alleviate taxpayers and habitants via a partial and temporary exemption from permit fees for residents and business owners who are obtaining permits to repair or demolish their damaged homes and businesses. This is not intended for new construction or new additions to existing structures, and will be valid for applications submitted for the next 60 days once approved herein.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT

SECTION 1: IMPLEMENTATION OF FEE EXEMPTION:

- A)** The City of Pharr hereby acts to alleviate and lessen the impact of the recent heavy rain event that have been detrimental to the public health, safety, and welfare of the residents and other persons located within the City of Pharr by directing all City of Pharr personnel and representatives to exempt qualified applicants from the permit fees for the following:
 - 1.)** roofing,;
 - 2.)** flooring;
 - 3.)** a/c; and
 - 4.)** Interior remodeling (which would include but is not limited to: sheetrock, baseboards, electrical wiring, electrical receptacles and insulation).
- B)** The provisions contained herein are not intended for new construction or new additions to existing structures, and will be valid for approved applications submitted not later than sixty (60) days following the effective date of this ordinance.
- C)** The City, through its personnel staff and cable network, shall enlighten the community and initiate public awareness so that all interested persons may utilize the City's attempts to spur the

reconstruction and improvement of affected structures.

SECTION 2: REPEALER CLAUSE:

This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION 3: SAVINGS CLAUSE:

Except as hereby amended, any policies, procedures, and directives of the City of Pharr, Texas, not in conflict with this ordinance shall remain in full force and effect, unimpaired hereby.

SECTION 4: EMERGENCY CLAUSE:

The importance of the subject matter hereof creates an emergency and an imperative public necessity requiring suspension of the rule that ordinances be read on three separate days, and such rule is hereby suspended and said requirement is dispensed with by a vote of not less than a majority of all the members of the Board of Commissioners.

SECTION 5: SEVERABILITY CLAUSE:

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof. The effects of this ordinance shall at all times be in compliance with state, federal, and other guidelines as directed.

SECTION 6: EFFECTIVE DATE; PUBLICATION:

This ordinance shall take effect immediately upon passage by a vote of not less than a majority of all the members of the Board of Commissioners and executed by the Mayor and City Clerk.

This ordinance may be published, after passage, in one issue of the official paper.

PASSED AND APPROVED ON THE FIRST AND FINAL READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2018.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.C.

DATE SUBMITTED: June 27, 2018

MEETING DATE: July 2, 2018

FROM: Rita Galvan, Secretary

DEPARTMENT: Development Services

DIRECTOR:

Agenda Item: Consideration and action, if any, on Resolution proclaiming the existence or threatened existence of a local emergency in the City of Pharr.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The resolution is necessary for prevention, mitigation, response, and recovery for the rain events that occurred since June 20, 2018. The City of Pharr Board of Commissioners find that the identification of potential hazards and the prevention of the effects is an on-going concern, therefore proper mitigation is needed.

Financial Consideration:

Staff Recommendation: Staff recommends approval of the resolution.

Alternatives:

ROUTING:

Rita Galvan
Roland Gomez
Melanie Cano
Patricia Rigney
City Management Office

Created/Initiated - 06/27/2018
Approved - 06/27/2018
Approved - 06/27/2018
Approved - 06/27/2018
Final Approval - 06/29/2018

RESOLUTION 2018-

A RESOLUTION PROCLAIMING THE EXISTANCE OR THREATENED EXISTENCE OF A LOCAL EMERGENCY IN THE CITY OF PHARR

WHEREAS, Ordinance No. 0-83-60, amended Ordinance No. 412 Establishing a program of Comprehensive Emergency Management which included prevention, mitigation, response and recovery and created the Office of Emergency Management in the City of Pharr; and

WHEREAS, the Board of Commissioners of the City of Pharr finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the City if the lives and property of the populace are to be protected; and

WHEREAS, the Board of Commissioners of the City of Pharr declares that the preparation of a plan, and the means for its implementation, for the protection of lives and property in the City of Pharr from natural or man-caused disasters or threats thereof is immediately essential; and

WHEREAS, the Board of Commissioners of the City of Pharr further finds that in times of emergencies which may imperil the safety of the inhabitants of the City, or their property, it becomes necessary to effectuate and place into operation the preconceived plans and preparations with a minimum delay; and

WHEREAS, the Board of Commissioners of the City of Pharr has directed the Office of Emergency Management to proclaim the existence or threatened existence of a local emergency is affected by a public calamity; and

WHEREAS, the Board of Commissioners of the City of Pharr does hereby find that conditions are favorable for mosquito breeding opportunities due to the on-going and continued extreme rain events since June 20, 2018; and

WHEREAS, the Board of Commissioners of the City of Pharr also finds that due to the continued extreme rain events of since June 20, 2018 and the abundance of un kept lots, weeds and tall grass pose a risk of mosquito-borne virus' to include the Zika Virus and West Nile Virus (WNV); and

That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence or threatened existence of a local emergency,

1. Suspension and Modification of Ordinance

- (a) Ordinance No. O-2010-61, Section 62-109 is hereby suspended or modified as indicated:

Weeds within location parameters enumerated in Section 62-105 which are in excess that is deemed an immediate danger to the health, life, and/or safety of any person by a City official, may without prior notice be abated by the City.

- (b) The suspension or modifications of the ordinances and regulations listed in Subsection (a) shall remain in effect (30) thirty days after approval of the resolution.

2. Prevention Action Steps

Preventing Mosquito Breeding Opportunities: By reducing their exposure to mosquitoes around their homes and by eliminating mosquito breeding grounds, citizens can greatly reduce their risk of mosquito-borne virus exposure. Many species of mosquitoes lay their eggs in standing water. Weeds, tall grass, and bushes may provide resting areas for the mosquitoes that are most often associated with West Nile Virus (WNV).

The City of Pharr recommends citizens take the following steps to reduce opportunities for mosquito breeding:

1. Eliminate standing water around residential and commercial areas by discarding outdoor artificial containers such as tin cans, plastic containers, or similar water-holding containers.
2. Do not attempt to drain or alter natural water bodies for mosquito control, since the management of ponds, marshlands, and wetlands is regulated under existing state law and administrative rule. Alteration may require the approval of state and possibly federal agencies. Contact the City of Pharr for further information.
3. Remove all discarded tires from your property. The used tire is the most common site for mosquito breeding in the United States.
4. Dispose of or drill holes in the bottom of containers left outdoors, such as recycling containers or flowerpots. Drainage holes on the sides of containers will still allow enough water for mosquitoes to breed. Do not overlook containers that have become overgrown by aquatic vegetation.
5. Mow grass and weeds as short as possible and thin shrubs to allow air circulation through plants.
6. Make sure roof gutters drain properly. Clean clogged gutters in the spring and fall and as often as necessary to eliminate standing water.
7. Tightly screen "rain barrels" to ensure mosquitoes cannot deposit eggs in or on water.
8. Clean and chlorinate swimming pools, outdoor saunas and hot tubs. If not in use,

keep empty and covered. Do not allow these covers to collect standing water.

9. Aerate ornamental pools or stock them with fish. Water gardens become major mosquito producers if they are allowed to stagnate.
10. Turn over wheelbarrows and plastic wading pools when not in use. Both provide breeding sites for domestic mosquitos.
11. Change water in birdbaths at least twice weekly.
12. Remind or help neighbors to eliminate mosquito-breeding sites on their property.

3. Personal Protective Measures:

Citizens can take simple steps to protect themselves from mosquito bites. Such steps are critical in reducing the risk of Zika virus and other infections/viruses. The City of Pharr recommends that citizens take the following steps to protect themselves when mosquitoes are most active:

1. If outside during evening, nighttime and dawn hours, or at any time mosquitoes are actively biting, children and adults should wear protective clothing such as long pants, long-sleeved shirts, and socks.
2. If outside during evening, nighttime and dawn hours, or at any time mosquitoes are actively biting, consider the use of an effective insect repellent.
3. Repellents containing DEET (N, N-diethyl-methyl-meta-toluamide) have been proven effective. No more than 30% DEET should be used on adults or children. The American Academy of Pediatrics (**AAP**) Committee on Environmental Health has updated their recommendation for use of DEET products on children, citing: "Insect repellents containing DEET with a concentration of 10% appear to be as safe as products with a concentration of 30% when used according to the directions on the product labels." AAP recommends that repellents with DEET should not be used on infants less than 2 months old.
4. Repellents containing Picaridin (KBR3023), oil of lemon eucalyptus (a plant based repellent) or IR3535 provide protection similar to repellents with low concentrations of DEET. Oil of lemon eucalyptus should not be used on children under the age of three years.
5. Always use repellents according to manufacturer's directions. Do not allow young children to apply repellent themselves.
6. Do not apply repellent directly to children. Apply to your own hands and then put it on the child's skin.

7. Infants and children should be protected by placing mosquito nets over strollers in the evening, nighttime and dawn hours or at any time mosquitoes are actively biting.
8. The length of time a repellent is effective varies with ingredient and concentration. Avoid prolonged or excessive use of repellents. Use sparingly to cover exposed skin and clothing.
9. Wash all treated skin and clothing after returning indoors.
10. Store repellent out of reach of children.

For additional information about chemicals contained in repellents, visit the National Pesticide Information Center (NPIC) website at <http://www.npic.orst.edu/wnv/pesticides.htm>

11. Make sure that doors and windows have tight-fitting screens. Repair or replace all screens in your home that have tears or holes.
12. Vitamin B, ultrasonic devices, incense and bug zappers have not been shown to be effective in preventing mosquito bites.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PHARR, TEXAS THAT:

SECTION 1. A local emergency or potential emergency now exists in the City of Pharr; and

SECTION 2. During the existence of local said emergency the powers, functions and duties of the Office of Emergency Management and the staff it employs shall be those prescribed by state law, by city ordinance and resolutions of this City; and

SECTION 3. Those said employees have all rights and privileges to protect the public at large until the City of Pharr sees fit to terminate said resolution proclaiming the existence or threatened existence of a local emergency.

SECTION 4. Through this resolution, the Department of Emergency Management shall provide Prevention Actions Steps and Personal Protective Measures to the inhabitants of the City of Pharr to aid in this crisis or potential crisis.

**PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF
THE CITY OF PHARR, TEXAS, on this the 2nd day of July, 2018**



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.A.

DATE SUBMITTED: June 28, 2018

MEETING DATE: July 2, 2018

FROM: Raul Garza, GMCD Director

DEPARTMENT: GMCD

DIRECTOR:

Agenda Item: Consideration and action, if any, ratifying emergency action taken on establishing a Disaster Emergency Grant Fund with Affordable Homes.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: City Manager authorized GMCD (under emergency status) to establish an Disaster Emergency Grant Fund with Affordable Homes for our Pharr resident homeowners. The maximum grant amount is set at \$300.00 for startup costs to remedy damages.

Financial Consideration: The grant was established at a funding level of \$40,000.00.

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Raul Garza
Raul Garza
Patricia Rigney
Karla Moya
City Management Office

Created/Initiated - 06/28/2018
Approved - 06/28/2018
Approved - 06/28/2018
Approved - 06/28/2018
Final Approval - 06/29/2018



**AFFORDABLE
HOMES**
of SOUTH TEXAS, Inc.

INVOICE

www.absti.org

A NON-PROFIT HOUSING INITIATIVE SINCE 1976

BILL TO:

City of Pharr
118 S Cage Blvd
Pharr, TX 78577

DATE

06/25/2018

INVOICE #

62218

*Southern
Plumbing
Pro LLC
via check
REQUEST
6/25/18*

DESCRIPTION

TOTAL

Emergency Repair Fund- Disaster Recovery

\$40,000.00

TOTAL

\$ 40,000.00



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.B.

DATE SUBMITTED: June 28, 2018

MEETING DATE: July 2, 2018

FROM: Omar Anzaldua, City Engineer

DEPARTMENT: Engineering

DIRECTOR: Omar Anzaldua

Agenda Item: Consideration and action, if any, on deductive Change Order Number 4 and acceptance of the South Pharr Development & Research Center (Part A) and Exhibit Hall (Part B) as complete and authorization to release retainage in the amount of \$180,662.75 (Bid Number 1617-01-528-0021)

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Holchemont, Ltd., has completed the South Pharr Development & Research Center (Part A) and Exhibit Hall (Part B) in accordance with plans and specifications. Deduct Change Order No. 4 is for final reconciliation of quantities.

Financial Consideration: Development and Research Center (Part A)

Original Contract: \$2,433,000.00

Exhibit Hall (Part B)

Original Contract: \$1,209,000.00

Change Order Number 1: \$2,350.50

Change Order Number 2: \$10,968.65

Change Order Number 3: \$27,895.77

Change Order Number 4: (-\$69,960)

Revised Contract: \$1,180,254.92

Development & Research Center (Part A) and Exhibit Hall (Part B)

Original Contract: \$3,642,000.00

Change Order Number 1: \$2,350.50

Change Order Number 2: \$10,968.65

Change Order Number 3: \$27,895.77
Change Order Number 4 (-\$69,960)
Final Contract Amount: **\$3,613,254.92**

Staff Recommendation: Staff recommends approval of Deduct Change Order Number 4 in the amount of \$69,960 reducing the contract amount from \$3,683,214.92 for a revised contract amount of \$3,613,254.92 and Release of Retainage is in the amount of \$180,662.75.

Alternatives: None.

ROUTING:

Omar Anzaldua	Created/Initiated - 06/28/2018
Carolina Quintanilla	Approved - 06/29/2018
Maria Rangel	Approved - 06/29/2018
Karla Moya	Approved - 06/29/2018
City Management Office	New -



CHANGE ORDER

Contractor: Holchemont, Ltd.

Change Order No.: 4

Project: City of Pharr Development & Research Center (Part A)
and Exhibit Hall (Part B)
Bid No. 1617-01-528-0021

Date: 6/29/2018

Notice to Proceed Date: 2-Feb-18

Change Order Amount: \$ (69,960.00)

You are directed to make the following changes in the Contract Documents:

Credit for landscaping and irrigation.

Reason for Change Order:

Final change order to close out the project.

	Contract Price		Contract Time(Calendar Days)
Original Contract:	\$ 1,209,000.00	Original Completion Date:	5-Dec-17
Previous Change Order: (+/-)	\$ 41,214.92	Additional Days:	33
This Change Order: (+/-)	\$ (69,960.00)	Revised Completion Date:	7-Jan-18
Revised Contract Amount:	\$ 1,180,254.92		

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.

Accepted:

Holchemont, Ltd.

Contractor

Authorized Signature

Date

Recommended:

The Warren Group Architects

Project Architect

Authorized Signature

Date

Omar Anzaldia Jr., PE

City Engineer

Authorized Signature

Date

Approved:

Juan Guerra

City Manager

Authorized Signature

Date



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.C.

DATE SUBMITTED: June 27, 2018

MEETING DATE: July 2, 2018

FROM: Omar Anzaldua, City Engineer

DEPARTMENT: Engineering

DIRECTOR:

Agenda Item: Discussion and possible action regarding Regional Drainage Issues affecting the City of Pharr.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: The Regional Drainage system and the capacity of the Hidalgo County Drainage District No. 1 drainage ditches play a significant role in the overall City of Pharr's drainage system, and thus discussion is needed regarding the need to increase the capacity of these regional drainage systems.

Financial Consideration: To be determined

Staff Recommendation:

Alternatives: N/A

ROUTING:

Omar Anzaldua
Omar Anzaldua
Patricia Rigney
City Management Office

Created/Initiated - 06/27/2018
Approved - 06/29/2018
Approved - 06/29/2018
Final Approval - 06/29/2018



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.A.

DATE SUBMITTED: June 29, 2018

MEETING DATE: July 2, 2018

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: Consideration and action, if any, authorizing City Manager to negotiate and enter into an agreement for Construction Manager services for the Pharr International Bridge Expansion Project.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Patricia Rigney

Karla Moya

City Management Office

Created/Initiated - 06/29/2018

Approved - 06/29/2018

New -



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.B.

DATE SUBMITTED: June 27, 2018

MEETING DATE: July 2, 2018

FROM: Omar Anzaldua, City Engineer

DEPARTMENT: Engineering

DIRECTOR:

Agenda Item: Consideration and action, if any, authorizing City Manager to amend the agreement with the Construction Manager at Risk (CMAR) for various parks and fire station projects.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The City of Pharr is requesting the authorization from City Commission on approving the City Manager to amend the contract for Construction Manager at Risk Services for the Additional Scope of work related to the addition and deletion of various projects as outline in attached table.

Financial Consideration:

CMAR Projects

Contract No. 1

Project	CMAR FEE (12.5%)	Construction Cost	Adjustment	Original GMP	Revised GMP
Ford Elementary	\$ 112,500.000	\$ 787,500.000	(\$900,000.00)	\$ 900,000.00	\$0.00
Dr. Long	\$ 187,500.000	\$ 1,312,500.000	\$0.00	\$ 1,500,000.00	\$1,500,000.00
Allen & Williams	\$ 275,000.000	\$ 1,925,000.000	\$0.00	\$ 2,200,000.00	\$2,200,000.00
Splash Park	\$ 38,375.000	\$ 268,625.000	\$0.00	\$ 307,000.00	\$307,000.00
Pharr Birding Center	\$ 250,000.000	\$ 1,750,000.000	\$690,000.00	\$ 2,000,000.00	\$2,690,000.00
Cesar Chavez Park	\$ 162,500.000	\$ 1,137,500.000	(\$1,300,000.00)	\$ 1,300,000.00	\$0.00

Newcomb Park	\$ 50,000.000	\$ 350,000.000	\$1,200,000.00	\$ 400,000.00	\$1,600,000.00
Jones Box Park Splash Park	\$ 38,375.000	\$ 268,625.000	\$0.00	\$ 307,000.00	\$307,000.00
Victor Garcia Park-Skate Park	\$ 25,000.000	\$ 175,000.000	(\$200,000.00)	\$ 200,000.00	\$0.00
South Fire Station	\$ 187,500.000	\$ 1,312,500.000	\$570,000.00	\$ 1,500,000.00	\$2,070,000.00
North Side Fire Station	\$ 187,500.000	\$ 1,312,500.000	(\$570,000.00)	\$ 1,500,000.00	\$930,000.00
Sub Total	\$ 1,514,250.000	\$ 10,599,750.000		\$ 12,114,000.00	\$11,604,000.00

Contract No. 2

Project	CMAR FEE (14%)	Construction Cost	GMP	Revised GMP
Civic Center Renovations	\$ 490,000.00	\$ 3,010,000.00	(\$300,000.00)	\$3,500,000.00
Parks Maintenance Bldg.	\$ 105,000.00	\$ 645,000.00	(\$390,000.00)	\$ 750,000.00
Subtotal	\$ 595,000.00	\$ 3,655,000.00	\$ 4,250,000.00	\$3,655,000.00
Grand Total			Original \$ 16,364,000.00	Revised \$15,159,000.00

Staff Recommendation: Staff recommends approval of Amendment No. 1 to the agreements with Davis Construction for modifications to the Construction Manager at Risk scope of work as outlined in the attached information.

Alternatives:

ROUTING:

Omar Anzaldua	Created/Initiated - 06/27/2018
Omar Anzaldua	Approved - 06/29/2018
Patricia Rigney	Approved - 06/29/2018
Karla Moya	Approved - 06/29/2018
City Management Office	New -

CMAR Projects**Contract No. 1**

Project	CMAR FEE (12.5%)	Construction Cost	Adjustment	Original GMP	Revised GMP
Ford Elementary	\$ 112,500.000	\$ 787,500.000	(\$900,000.00)	\$ 900,000.00	\$0.00
Dr. Long	\$ 187,500.000	\$ 1,312,500.000	\$0.00	\$ 1,500,000.00	\$1,500,000.00
Allen & Williams	\$ 275,000.000	\$ 1,925,000.000	\$0.00	\$ 2,200,000.00	\$2,200,000.00
Splash Park	\$ 38,375.000	\$ 268,625.000	\$0.00	\$ 307,000.00	\$307,000.00
Pharr Birding Center	\$ 250,000.000	\$ 1,750,000.000	\$690,000.00	\$ 2,000,000.00	\$2,690,000.00
Cesar Chavez Park	\$ 162,500.000	\$ 1,137,500.000	(\$1,300,000.00)	\$ 1,300,000.00	\$0.00
Newcomb Park	\$ 50,000.000	\$ 350,000.000	\$1,200,000.00	\$ 400,000.00	\$1,600,000.00
Jones Box Park Splash Park	\$ 38,375.000	\$ 268,625.000	\$0.00	\$ 307,000.00	\$307,000.00
Victor Garcia Park-Skate Park	\$ 25,000.000	\$ 175,000.000	(\$200,000.00)	\$ 200,000.00	\$0.00
South Fire Station	\$ 187,500.000	\$ 1,312,500.000	\$570,000.00	\$ 1,500,000.00	\$2,070,000.00
North Side Fire Station	\$ 187,500.000	\$ 1,312,500.000	(\$570,000.00)	\$ 1,500,000.00	\$930,000.00
Sub Total	\$ 1,514,250.000	\$ 10,599,750.000		\$ 12,114,000.00	\$11,604,000.00

Contract No. 2

Project	CMAR FEE (14%)	Construction Cost		GMP	Revised GMP
Civic Center Renovations	\$ 490,000.00	\$ 3,010,000.00	(\$300,000.00)	\$ 3,500,000.00	\$3,200,000.00
Parks Maintenance Bldg.	\$ 105,000.00	\$ 645,000.00	(\$390,000.00)	\$ 750,000.00	\$360,000.00
Subtotal	\$ 595,000.00	\$ 3,655,000.00		\$ 4,250,000.00	\$3,560,000.00

	Original	Revised
Grand Total	\$ 16,364,000.00	\$15,164,000.00



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.C.

DATE SUBMITTED: June 27, 2018

MEETING DATE: July 2, 2018

FROM: Patricia Rigney, City Attorney

DEPARTMENT: Bridge

DIRECTOR:

Agenda Item: Consideration and action, if any, on Quote and Agreement with Leidos for relocation of two VACIS Gamma Ray systems.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Patricia Rigney

Luis Bazan

Karla Moya

City Management Office

Created/Initiated - 06/27/2018

Approved - 06/27/2018

Approved - 06/29/2018

New -



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.D.

DATE SUBMITTED: June 29, 2018

MEETING DATE: July 2, 2018

FROM: Omar Anzaldua, City Engineer

DEPARTMENT: Engineering

DIRECTOR: Omar Anzaldua

Agenda Item: Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with Garver, LLC for Professional Engineering Services for the Expressway Tank Rehabilitation Project. (Project #1718-60-582-S011-001)

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: The City of Pharr is requesting the authorization from City Commission on approving the City Manager to negotiate and enter into a contract for Professional Engineering Services with Garver LLC, for the Expressway Tank Rehabilitation Project.

Financial Consideration: To be determined

Staff Recommendation: Staff recommends approval and authorization to negotiate and enter into a contract with Garver, LLC for Professional Engineering Services for the Expressway Tank Rehabilitation Project.

Alternatives: N/A

ROUTING:

Omar Anzaldua

Created/Initiated - 06/29/2018

Omar Anzaldua

Approved - 06/29/2018

Patricia Rigney

Approved - 06/29/2018

Carolina Quintanilla

Approved - 06/29/2018

Karla Moya

New -

City Management Office



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.E.

DATE SUBMITTED: June 28, 2018

MEETING DATE: July 2, 2018

FROM: Raul Garza, GMCD Director

DEPARTMENT: GMCD

DIRECTOR:

Agenda Item: Consideration and action, if any, on contract with ZoomGrants for consulting services related to the Five Year Consolidated Plan.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: HUD requires Entitlement Cities to submit Five Year Consolidated Plans along with Annual Action Plans. ZoomGrants will be assisting CDBG staff with the programmatic data required for submittal of the Amended Five Year Consolidated plan. ZoomGrants works with various municipalities on HUD related items. They are presently working with the Cities of McAllen (general program) and the City of Laredo (general program).

Financial Consideration: Total cost not to exceed \$4,750.00.

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Raul Garza

Created/Initiated - 06/28/2018

Raul Garza

Approved - 06/28/2018

Patricia Rigney

Approved - 06/28/2018

Karla Moya

Approved - 06/29/2018

City Management Office

New -

June 13, 2018

SANTIAGO SALINAS, JR.

CDBG Manager

Grants Management & Community Development

City of Pharr, Hidalgo County, Texas

(956) 402-4190

santiago.salinas@pharr-tx.gov

Dear Mr. Salinas,

Thank you so much for requesting our assistance with amending the City of Pharr's 2013-2017 Consolidated Plan, and to draft and submit the City's 2018-19 annual Action Plan.

ZoomGrants will assist the City with the following tasks and provide the following services.

- Support and advise the City regarding the amendment and action plan process.
- Draft the text for an amendment to the Consolidated Plan.
- Amend the 2013-2017 Consolidated Plan in IDIS to extend one year.
- Review and comment on the City's draft action plan.
- Request and compile information required to complete the annual Action Plan in IDIS.
- Complete the annual Action Plan template in IDIS.
- Other supporting tasks as may be mutually agreed upon to complete the amendment and annual Action Plan.

Services will be provided by Rob Sronce, Lead Consultant.

ZoomGrants will provide services remotely by means of telephone, email, remote screensharing, or other modes as appropriate. The City will need to add the City of Pharr CDBG program to Mr. Sronce's IDIS profile. He is currently an active IDIS user. ZoomGrants may also request that City staff assist with network and local permissions that may be necessary to provide remote assistance.

The work will be provided on-demand in response to the City's needs. ZoomGrants is serving as adjunct staff in support of City staff who will retain the primary responsibility for completing and submitting the Consolidated Plan amendment and annual Action Plan. ZoomGrants will act under the City's direction. ZoomGrants will advise the City as appropriate to assure the City's compliance with the CDBG planning regulations at 24 CFR 91 and the City's adopted Citizen Participation Plan.

Services will be provided at an hourly rate of \$125.00. ZoomGrants anticipates completing the Consolidated Plan amendment and the annual Action Plan to require not more than 38 hours for a total budget of \$4,750. Services will begin when appropriately authorized by the City and end not later than September 30, 2018.

This proposed scope of work and budget may be amended at any time to alter the scope or tasks, revise the budget, or extend the term. Amendments must be by mutual agreement of the City and ZoomGrants. All amendments must be in writing and executed by both parties.

Although travel is not anticipated and not required to complete the scope of work, in the event that travel is required or requested, ZoomGrants will provide an estimate of costs in advance of travel. ZoomGrants will submit actual costs to the City for reimbursement when travel has been completed. All travel costs will be subject to federal GSA limits on per diem (MIE) and lodging costs. Air fare will be coach or economy. Car rental will be at the published economy rate.

ZoomGrants invoices monthly by the 10th of the month for services rendered the previous month. Terms are net 30 days. Invoices will include a description of the work performed, time expended, rate, and amount billed by personnel, date and task. Additional reports or billing information will be provided on request.

ZoomGrants prefers payment by ACH. Our company W9 is available on our website here
<https://www.zoomgrants.com/w9.pdf>

Questions regarding this proposal should be addressed to:

Rob Sronce, Lead Consultant
ZoomGrants
915 La Coruña St
Davis, CA 95618
530-341-3282
rob.sronce@zoomgrants.com

Please let me know if you need anything else from me. If you need to reach me, please call 530-341-3282.

Sincerely,



Rob Sronce
Lead Consultant

Relevant Work Completed

The following is a list of relevant work by Mr. Sronce.

Client	Project(s)	Relevant Experience
Cloudburst Consulting Group	NSP Program Reporting	Assist NSP grantees to accurately report NSP program accomplishments, demonstrate compliance, and closeout grants. Includes assisting with review of records, reconciliation, and methods to correct.
Enterprise Community Partners	NSP Program Reporting	Assist NSP grantees to accurately report NSP program accomplishments, demonstrate compliance, and closeout grants. Includes assisting with review of records, reconciliation, and methods to correct.
	DRGR Ask-a-Question	Support users of HUD's Disaster Grant Reporting system (DRGR) by responding to tickets submitted to HUD. Assess issues and provide remote assistance. Test new releases and system patches.
ICF International	HOME Ask-a-Question	Support HOME PJs by responding to tickets submitted to HUD. (System currently closed.)
	AFH Resources Review	Review resources provided by HUD for grantees completing an Assessment of Fair Housing (AFH). Provide report to HUD HQ.
	AFH Training Materials Review	Review training materials used by HUD to train grantees to complete an Assessment of Fair Housing (AFH). Provide report to HUD HQ.
City of Roseville, CA	CDBG Program Staffing	Day-to-day administration of the City's CDBG program as contract staff including all aspects of reporting and record-keeping, subrecipient management, planning and compliance. IDIS corrections and reconciliation. E-Con Planning goals and outcomes reconciliation. Train City staff in the administration of the CDBG program.
City of Rocklin, CA	CDBG Program Support	Support City staff who implement the City's CDBG program. Includes trouble shooting and capacity building in the use of IDIS.
City of Modesto, CA	CDBG Staff Support	Assist City staff with the completion of the annual Action Plan and the Analysis of Impediments. Setup E-Con Plan in IDIS.
City of Antioch, CA	NSP Staff Support	Review record-keeping and reporting to assure compliance. Troubleshoot and correct NSP grant reporting.
City of Salinas, CA	HUD Grant Application Process	Assess and revise annual application process for HUD grants. Develop and implement scoring and selection tools.
City of Lodi, CA	CDBG Program Staffing	CDBG program staffing including subrecipient management, record-keeping and reporting. IDIS input and reporting.
City of Rancho Cordova, CA	CDBG Program Support	Housing rehabilitation program, emergency repair program, labor compliance. IDIS technical assistance and capacity building.
City of Seaside, CA	CDBG Program Staffing	CDBG program staffing including subrecipient management, record-keeping and reporting. IDIS technical assistance and capacity building.
City of Corona, CA	NSP Program Staffing CDBG and HOME program support	Administer NSP grant and NSP/HOME funded single-family acquisition/rehab/resale program. IDIS training, technical assistance and capacity building.
City of El Paso, TX	HOME program technical assistance	HUD-funded HOME program needs assessment followed by training and technical assistance. IDIS training, technical assistance and capacity building.
City of Chico, CA	HOME program technical assistance	IDIS training and technical assistance to report on CDBG and HOME grants from HUD. IDIS trouble shooting, training, technical assistance and capacity building.
City of Reno, NV	HOME program technical assistance	IDIS trouble shooting, training, technical assistance and capacity building.
NACCED	Spring Legislative Meeting, Washington DC	CPD grantee training seminar: IDIS e-Con Planning tools.

Professional References

Please feel free to contact the following persons to inquire after the qualifications and recent experience of Mr. Sronce.

Chris Andrews

THE CLOUDBURST GROUP

Practice Area Lead, Community Development Programs
8400 Corporate Drive, Suite 550
Landover, MD 20785-2238
802-342-3985
chris.andrews@cloudburstgroup.com

Joseph Wood

HOUSING AUTHORITY FOR THE COUNTY OF STANISLAUS

Manager, Property Management Division
PO Box 581918
Modesto, CA 95358
209-557-2030 – Office
jwood@stancoha.org

Laura Webster

CITY OF ROCKLIN

Director Office of Long Range Planning
Economic and Community Development Department
3970 Rocklin Road
Rocklin, CA 95677
916-625-5161
laura.webster@rocklin.ca.us

Teri House

CITY OF ANTIOCH

Community Development Department
200 H Street, 2nd Floor
Antioch, CA 94509
925-779-7037
cdbg@ci.antioch.ca.us

Anastacia Wyatt

CITY OF SALINAS

Planning Manager
Community Development Department
65 West Alisal Street, 2nd Floor
Salinas, California 93901
831-758-7489
anastacia.wyatt@ci.salinas.ca.us



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.F.

DATE SUBMITTED: June 29, 2018

MEETING DATE: July 2, 2018

FROM: Vanessa Guzman, Administrative Assistant

DEPARTMENT: Bridge

DIRECTOR: Luis Bazan

Agenda Item: Consideration and action, if any, on proposal from First Service Technology through The Interlocal Purchasing System (TIPS) Purchasing Cooperative to upgrade surveillance system at the Pharr International Bridge.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: The Camera system at the Pharr International Bridge has been in place for over ten years and requires an upgrade.

This system will provide better security and replace the existing cameras installed at the Pharr International Bridge. With international security issues at an all time high since the beginning of this year, the upgrade is an absolute must. The system will also allow us to have a competitive advantage over other land ports of entry and it will keep us in line with the multi-million dollar investments in infrastructure on both sides of the border.

Financial Consideration: \$500,000.00

Staff Recommendation: The Pharr International Bridge requests approval to upgrade the camera system and authorization to purchase the system through The Interlocal Purchasing System (TIPS) Purchasing Cooperative.

Alternatives: N/A

ROUTING:

Vanessa Guzman

Created/Initiated - 06/29/2018

Luis Bazan
Patricia Rigney
Carolina Quintanilla
Karla Moya
City Management Office

Approved - 06/29/2018
Approved - 06/29/2018
Approved - 06/29/2018
Approved - 06/29/2018
New -

BUDGETARY PROPOSAL

A Custom Solution Provided For

City of Pharr
International Bridge



DISCLAIMER

The use of trade names in this document does not constitute an official endorsement or approval of the use of such commercial hardware or software. Do not cite this document for the purpose of advertisement.

CHANGES

Refer requests for all changes that affect this document to the First Service Technology project manager assigned to customer.

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INTRODUCTION & QUALIFICATIONS

First Service Technology is a small business which develops and delivers innovative, value-added products and services. We specialize in intrusion detection, closed circuit television, perimeter protection, access control, fire alarm, parking control and secure information assurance. Our strength is in providing superior solutions and services that add value to our clients' operations. Our goal is to increase our clients' skills and capabilities while enhancing their ability to support their vital missions from within. Our motto "**Providing Tomorrow's solutions today**" is a philosophy and mindset of preparing our customers for today's security challenges using cutting edge technology.

First Service Technology offers complete security system design. Our team of experts have been factory trained and certified on multiple levels of product offerings ensuring our customers that we always select the best product to meet their needs. First Service Technology team members also train on competitor product lines to ensure our ability to provide compatible solutions to integrate across multiple platforms.

First Service Technology is an industry leader in the installation of fully integrated security systems. We utilize the industry's most advanced equipment and installation techniques. Our team of experts will assist you at every stage of the project and provide plenty of post project support to ensure your system is used to its full potential.

First Service Technology is involved with multiple Professional Associations:

- ASIS International
- South Texas Alarm Association (STAA)
- Texas Burglar & Fire Alarm Association (TBFAA)
- Texas Department of Public Safety Private Security – License B-20088
- Texas State Fire Marshal's Office – License ACR-1801235

STATEMENT OF WORK

The prices herein are based on requested budgetary proposal to upgrade surveillance system located at the City of Pharr International Bridge. This quote is based on missing information regarding condition of existing fiber optic cable. Final price may change based on actual condition of existing fiber runs. First Service Technology (hereafter referred to as FST) proposes the cost for system upgrade to include:

Replace 43 existing cameras for city offices, toll booths, and canopy with 3MP IP Cameras.

Add 1 PTZ for toll canopy facing PD canopy.

Add 1 PTZ for duty free area.

Replace 7 outdoor cameras on PD Canopy with 4MP outdoor cameras.

Replace 6 FLIR fixed cameras under bridge with FLIR FC series.

Replace 1 FLIR fixed camera on bridge with FLIR FC series.

Replace 2 PTZ on poles at bridge with 3MP PTZ Camera

Add 1 new FLIR FC Series fixed camera to monitor Rivers Edge.

Add 1 new FLIR FC series fixed camera to monitor wall.

Add 3 new FLIR FC series to underside of bridge.

Add 1 new FLIR PTZ camera to monitor "Y".

Multimode 6 strand outdoor fiber run to accommodate six new FLIR cameras on bridge.

Multimode 6 strand outdoor fiber run to accommodate one new PTZ for duty free area.

Replace 8 analog fiber transceiver with IP transceiver kit.

Add 7 IP transceiver kit for new cameras on bridge and duty free ares.

CAT6PL Cable run from existing MDF to current camera locations for City of Pharr Bridge Offices, Toll Booths, and Canopy area.

Replace existing AD recording solution with OpenEye OWS recording solution.
 Recording calculated for a minimum of 90 Days with RAID5.

Replace existing Salient recording solution with OpenEye OWS recording solution.
 Recording calculated for a minimum of 90 Days with RAID5.

FST Technical support is available Monday through Friday between 0800 and 1700 CST.
 After hours support is available from the manufacturer between the hours of 0700 and 1900 PST. FST on call technical support is available 24/7 via after hours message center.

Below you will find the proposed equipment list:

(see exhibit A for exact camera models and locations)

(1)	OpenEye 64 Channel Network Video Recorder with 96TB RAID5 configuration	\$ 21,658.97
(1)	OpenEye 32 Channel Network Video Recorder with 96TB RAID5 configuration	\$ 17,156.41
(29)	OpenEye 4MP Outdoor Bullet Camera with Auto-Focus	\$ 9,332.05
(4)	OpenEye 20x Outdoor PTZ with mount	\$ 7,758.97
(11)	FLIR Fixed Thermal Camera	\$ 26,400.00
(2)	FLIR PTZ Thermal Camera	\$ 59,243.59
(4)	3MP Indoor pinhole camera	\$ 1,282.05
(17)	OpenEye 3MP Indoor Dome with Auto-Focus	\$ 4,511.54
(7)	Outdoor Multimode fiber run	\$179,487.18
(15)	Multimode Fiber transceiver kit	\$ 38,461.54
(Lot)	CAT6PL Cable	\$ 2,871.79
(Lot)	Misc hardware, aerial lift, conduit <i>(as needed)</i>	\$ 18,589.74
(Lot)	Installation, certification, programming, training	\$110,256.40

TOTAL ESTIMATED SYSTEM INVESTMENT \$497,010.26

Quote is all inclusive as described. Any deviation from statement of work may result in price variation on individual line items.

PROPOSED INSTALLATION SCHEDULE

Start date to be adjusted based on acceptance of proposal. Installation based on working Monday through Friday 0800 to 1700. Any deviation from working days or hours will cause this timeline to change and may require a change order to account for after hours work. Any on site delays lasting more than one hour due to traffic conditions, inability to access work area, etc will cause this timeline to change and may require a change order to account for extra installation time.

ESTIMATED START DATE	ESTIMATED END DATE	MILESTONE	HOURS
07/02/18	07/17/18	EQUIPMENT DELIVERY	80
07/18/18	08/08/18	OFFICE, TOLL BOOTH, CANOPY CAMS	120
08/09/18	08/14/18	DUTY FREE ADDITION	24
08/15/18	08/22/18	PD CANOPY CAMS	40
08/23/18	08/30/18	REPLACE EXISTING BRIDGE CAMS	40
08/31/18	09/17/18	INSTALL NEW BRIDGE CAMS	80
		TOTAL	384

PREVENTIVE MAINTENANCE PLAN

First Service Technology will perform quarterly preventive and proactive maintenance on the OpenEye video surveillance system located at the City of Pharr International Bridge. Preventive Maintenance will consist of manufacturer recommended action items to help preserve the quality and life span of the newly installed systems. Suggested maintenance items include the following:

Video Surveillance

- Clean all camera domes with approved materials
- Focus and adjust all cameras using manufacturer recommended testing equipment
- Update firmware on all digital IP cameras to latest, released version
- Update software on all recording devices to latest, released version
- Perform a backup of all configuration files
- Run virus and malware scan on all servers
- Check event logs for errors
- Defragment all hard drives
- Install latest security patches
- Verify integrity of all hard drives and RAID array

Maintenance will be coordinated with City of Pharr International Bridge Director so as to provide the least amount of disruption to the operations as possible. Upon completion of each maintenance visit, a full report will be sent to the customer detailing all work performed. Any problems that were found will be documented, as well as the action needed to correct those problems. First Service Technology will provide labor to correct any faults, that are found while on-site during regularly scheduled maintenance visit, if those faults are covered under original manufacturer's warranty. First Service Technology will provide all materials, including outdoor man lift, to perform the above manufacturer recommended maintenance.

Maintenance will include labor for emergency service outside of the above listed scope of work for up to eight hours (non-cumulative) per month. Any items not covered by original manufacturer's warranty can be corrected for an additional fee.

Maintenance Period covered by this quote: 12 month with starting date TBD - Total Maintenance Investment: \$30,000.00

PURCHASING COOPERATIVES

For your convenience, First Service Technology is a proud member of the following purchasing cooperatives:

ESC13 (2013 COOP)

ESC2

TIPS (Contract number provided upon request and based on scope of work)

ESC20

REGION 2 GoodBuy

CUSTOMER RESPONSIBILITY

- Customer to coordinate traffic control with PD.
- Customer to ensure standard working hours Monday through Friday 0800 to 1700.
- Customer is to provide POE Switch and patch panel for all cameras at IDF and or MDF location
- Customer is to provide list of IP addresses for all cameras and recorders
- Customer is to ensure network connectivity between IDF, MDF, and any other required city location.
- Customer is to verify existing fiber optic cable runs are certified and in good working order.

WARRANTY

Warranty applies to all components installed by First Service Technology technicians and excludes any existing equipment, devices or cabling that are re-used. First Service Technology honors all manufactures warranties. Ultimate disposition of all warranty claims on defective equipment is left up to the sole discretion of the manufacturer. The manufacturer may choose to repair or replace components based on many factors. In conjunction with manufacturer warranty, First Service Technology will provide a 90-day warranty on all labor associated with the components listed in the Statement of Work. This warranty is limited to original manufacturer defect or failure. First Service Technology cannot warrant equipment or installation that is damaged by Acts of God, voltage fluctuation, vandalism, or customer tampering. First Service Technology recommends uninterrupted power supplies for all head end equipment. If customer does not purchase or provide these units, warranty will be void if electrical damage occurs to equipment that is not protected by uninterrupted power supply. After the initial labor warranty, First Service Technology will provide telephone support at no charge for the remainder of the manufacturer warranty period. Any on-site service request beyond 90 days or any service request that results in our technicians or the manufacturer determining failure was caused by an external influence not covered under warranty will result in a charge of \$125.00 per hour while on-site.

PAST PERFORMANCE

EdCouch Elsa ISD

Jose Torres – IT Director

Edcouch-Elsa ISD

Leo Hinojosa – Chief of Police

Edinburg CISD

Eduardo Moreno – Assistant Superintendent for Technology

Gregory-Portland ISD

Andrew Guerra – IT Director

Federal Protective Service

Michael McCarthy

White Sands Missile Range

Michael Dragoun

CONCLUSION

The process that we have developed and fine-tuned on other significantly similar commercial and government technology deployments will be adapted and leveraged into this project. Proven procedures and attention to detail will be emphasized for all work that is done. Our technical ability coupled with the technical crew's emphasis to detail ensures that each of our installations is completed to manufacturer's specifications, industry standards, and all applicable local, state, and federal codes.

TERMS & CONDITIONS OF AGREEMENT

Sales and Service Agreement for maintenance support- First Service Technology, LLC hereafter referred to as "Contractor" and City of Pharr, hereafter referred to as "Customer".

1. **SERVICES:** Contractor shall install, service, and warranty the system(s) as designed by Contractor and approved by Customer.
2. **INSTALLATION CHARGES:** The Customer agrees to pay Contractor, its agents or assigns, the installation charge and, if applicable, the maintenance, and/or lease charge as listed in the Proposal, subject to the terms and conditions as listed in the Proposal and Sales and Service Agreement.
3. **INSTALLATION, MAINTENANCE, and SERVICE:** Customer hereby authorizes and empowers Contractor to perform or cause to be performed the work necessary to fulfill the terms of this Agreement, including but not limited to installation, maintenance, inspection, testing, and repair of the systems on its premises. Such work shall be performed in a workmanlike manner in accordance with Contractor's standard practices and shall be completed in accordance with a mutually agreed upon schedule, unless stated otherwise in the Proposal. The obligation of Contractor to provide service related to the maintenance of the system pertains solely to the items specified in the Bill of Materials as listed in the Proposal. Contractor is not obligated to maintain, repair, service, replace, operate or assure the operation of any device, system, or property belonging to Customer or to any third party to whom such specified systems or components are attached, unless specifically agreed upon in the Proposal. In order to protect Customer from losses resulting from, damage to, or destruction of Contractor systems, Customer shall include such systems in the coverage provided in its liability and fire insurance policies. Contractor will provide service availability in accordance with the coverage requirements listed in the Proposal and defined under "coverage type" while the equipment is located on the premises upon which it was installed. The service to be provided is intended to keep the equipment in, or restore the equipment to, good working order. Unscheduled, on-call remedial maintenance is also to be provided by Contractor under this Agreement as necessary. Service provided by Contractor under this Agreement does not assure against, nor does Contractor assume any liability for, interruptions in operation of the equipment covered by this Agreement. When covered by our Full Service Agreement, the service also includes preventative maintenance based upon the specific needs of the individual equipment as determined by Contractor.
4. **NETWORKING:** Contractor will require access to customer network in order to allow remote access to equipment.
5. **ACCESS:** Contractor's technicians shall have full and free access upon their arrival to the equipment covered under this Agreement to provide service thereon. If an escort is required,

escort must be present at pre-determined arrival time as determined by Contractor's technicians upon scheduling with Customer. Any delay in access to facility will be billed at standard proposed hourly rate.

6. **OWNERSHIP:** For existing equipment, the Customer represents that it is the owner of the equipment to be serviced under this Agreement, or, if not the owner, has authority from the owner to include such equipment under this Agreement.
7. **OPERATION:** Customer represents and agrees to properly test and set the system on every closing and to properly turn off the system on each opening (if applicable); to test any detection device, or other electronic equipment designated in the Proposal prior to setting the system for closed periods and to notify Contractor promptly if such equipment fails to respond to the test; to use the equipment properly and follow proper operating procedures (if customer requires Contractor service); if Contractor representatives are sent to Customer's premises in response to a service call or alarm signal caused by the Customer improperly following operating instructions or failing to close or properly secure a protected point, to pay an additional service charge at the prevailing rate per occurrence; and that all walls, doors, skylight, windows or other elements of the premises as now constructed or to be constructed are or will be placed and maintained in such condition, at Customer's expense, as to permit proper installation and operation of the system(s).
8. **DELAYS - INTERRUPTION OF SERVICE:** Contractor shall not be liable for any delays, however caused, or for interruptions of service caused by strikes, riots, floods, acts of God, loss of communication and or other signal transmission lines, or by any event beyond the control of Contractor. Contractor will not be required to furnish service to Customer while such interruption shall continue.
9. **EQUIPMENT COVERED:** Refer to attached equipment list
10. **EXCLUSIONS:** Services to be provided by Contractor pursuant to this Agreement do not include:
 - a) Repair of damage or increase in service time caused by failure to continually provide a suitable operating environment with all facilities as prescribed by Contractor and/or the equipment manufacturer, including, but not limited to, the failure to provide, or the failure of, adequate and regulated electrical power, air conditioning or humidity control; or such special requirements as contained in Rider "A" or the Proposal hereto.
 - b) Repair of damage or increase in service time caused by use of the equipment for other than the ordinary use for which the equipment was designed or purpose for which it was intended.
 - c) Repair of damage, replacement parts (due to other than normal wear) or repetitive service calls caused by the use of unauthorized supplies or equipment.
 - d) Repair of damage or increase in service time caused by: accident, disaster, which shall include, but not be limited to, fire, flood, water, wind and lightning; transportation, neglect or misuse, alterations, which shall include, but not be limited to, any deviation from Contractor's physical, mechanical or electrical machine design; attachments, which are

defined as the mechanical, electrical or electronic interconnecting to non-Contractor equipment and devices not supplied by Contractor.

e) Electrical work external to the equipment or accessories furnished by Contractor.

11. **ADDITIONAL CHARGES:** Unless otherwise specified in the Proposal, service charges for the system are based upon coverage as specified in the "hours of operation." Service performed outside this window, or as a result of the failure of the Customer to adhere to the requirements as specified by either the manufacturer or outside the scope of the Agreement, shall be chargeable at Contractor's prevailing rates. Customer shall not tamper with, adjust, alter, move, remove, or otherwise interfere with equipment without Contractor's specific permission, nor permit the same by other Contractors. Any work performed by Contractor to correct Customer's breach of the foregoing obligation shall be corrected and paid for by Customer at Contractor's prevailing rates. Remedial maintenance due to Acts of God or events beyond the control of Contractor shall be corrected by Contractor and paid for by Customer in accordance with Contractor's prevailing rates.

Contractor shall have the right to increase or decrease the periodic service charge provided above at any time or times after the expiration of one year from the date service is operative under this Agreement, upon giving Customer written notice thirty (30) days in advance of the effective date of such increase or decrease.

12. **INSURANCE:** Contractor shall, at its sole cost and expense, maintain in force and effect comprehensive commercial liability insurance for protection from claims for damages because of bodily injury, including death, and from claims for damages to property which may arise out of or result from Contractor's performance/operations under this Agreement. Such policy of insurance (i) shall name the City as an additional insured and contain clauses waiving the insurer's rights of subrogation against the City and (ii) shall be in the following minimum coverage amounts: bodily injury coverage shall be in an amount not less than \$1,000,000.00 per occurrence, and property damage coverage shall be in an amount not less than \$1,000,000.00 per occurrence. The City must be provided with a copy of the certificate of insurance evidencing such coverage concurrently with the execution of this Agreement and in all events before Contractor begins work. Such certificate shall specify the additional insured status of the City of Pharr as well as waivers of subrogation.-

13. **TERM/RENEWAL:** The Service Agreement portion of these conditions is self-renewing for the term provided herein and at the prices in effect as of the date of renewal unless modified or canceled by either party in writing not less than thirty (30) days prior to the expiration date of this Agreement. The beginning date of the service agreement will be the first of the month following installation. The initial term will be for 12 (twelve) months.

14. **TERMINATION/PAYMENT:** Contractor has the option to terminate this agreement for cause should any payment due from Customer to Contractor remain overdue for a period of more than sixty (60) days. Should Contractor elect to exercise such cancellation option, said exercise shall be in writing, sent by certified mail, return receipt requested, and such cancellation shall be effective upon receipt. Customer has the right to terminate this

agreement, with or without cause, upon thirty (30) days' written notice to Contractor. This agreement shall also be subject to funding and budgetary constraints.

15. **SUCCESSORS:** The Agreement is not assignable by Customer except upon the written consent of Contractor, which consent will not unreasonably be withheld.
16. **ENTIRE AGREEMENT:** This Agreement is to govern the providing of services by Contractor to Customer as described herein. Nothing in this Agreement is to be construed as creating a lease or a leasehold agreement between the parties. This Agreement is not binding unless approved in writing by an authorized representative of Contractor. If approval is not obtained, the only liability of Contractor shall be to return to Customer the amount, if any paid to Contractor upon the signing of the Agreement by its Sales Representative. This writing, together with any individually signed acceptance of Proposals, rider, other attachments pertaining to this Agreement is intended by the parties as the final expression of their agreement with respect to the subject matter contained herein and also as the complete and exclusive statement of the terms and such Agreement, notwithstanding any prior, contemporaneous or subsequent purchase order or other document relating to said subject matter. There is no course of dealing or usage of the trade what would supplement or conflict with its terms. This Agreement may only be amended in writing signed by both parties.
17. **JURISDICTION:** The Parties agree that this Agreement is to be governed by the laws of the State of Texas and that any dispute arising out of this Agreement shall be brought in a court of competent jurisdiction in Hidalgo County, Texas.



ACCEPTANCE OF AGREEMENT

The prices, specifications and Terms and Conditions listed above, on reverse or attached, are satisfactory and are hereby accepted. You are authorized to do the work as specified. I hereby acknowledge that quote is all inclusive as described. Any deviation from statement of work may result in price variation on individual line items. Payments will be made as outlined.

PAYMENT TERMS

25% Due upon acceptance of quote	\$124,252.56
Equipment balance due upon delivery	\$114,424.35
Balance due upon completion	\$258,333.35

TOTAL SYSTEM INVESTMENT \$497,010.26

TIPS Contract Number 170203

AUTHORIZED CUSTOMER REPRESENTATIVE

_____ SIGNATURE	_____ DATE OF ACCEPTANCE
_____ PRINTED NAME	_____ TITLE

PURCHASE ORDER/CONTRACT NUMBER



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.G.

DATE SUBMITTED: June 29, 2018

MEETING DATE: July 2, 2018

FROM: Elva Guajardo, Administrative Assistant

DEPARTMENT: Parks

DIRECTOR: Sergio Alanis

Agenda Item: Consideration and action, if any, on proposal from Foresight Golf, LLC for consulting services for Tierra del Sol Municipal Golf Course operations.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Foresight Golf, LLC. wishes to be a consultant with the City of Pharr to evaluate the possibility of a lease or other operating scenario feasible for the City. Foresight Golf shall consult for a period of sixty days and provide the following:

- Comprehensive Market Analysis
- Thorough review of pro-shop operations
- Review of agronomics and golf course maintenance
- Assessment of banquet space
- Review of buildings
- Detailed evaluation of the operational team
- Formal presentation on the viability of a lease scenario with a professional management company

Financial Consideration: \$15,000

Staff Recommendation: City Commission approve this item.

Alternatives: N/A

ROUTING:

Elva Guajardo

Created/Initiated - 06/29/2018

Sergio Alanis

Approved - 06/29/2018

Patricia Rigney

Approved - 06/29/2018

Carolina Quintanilla

Approved - 06/29/2018

Karla Moya
City Management Office

New -

512 East Blanco Road, Suite 100, Boerne, Texas 78006
(830) 249-7528 Telephone (830) 249-7322 Facsimile



29 June 2018

Mr. Juan Guerra
City Manager
City of Pharr, Texas

Regarding: Consulting Proposal - Tierra del Sol Golf Club

Dear Mr. Guerra:

Foresight Golf, LLC is pleased to offer this proposal to help the City of Pharr determine the best plan of action regarding the ongoing operation and management of its golf course, Tierra del Sol Golf Club. We have significant experience in helping municipalities in determining what is best for their citizens and their budgetary responsibilities. From our conversations to date, we clearly understand that privatization is what the City is most interested in at this time.

We are uniquely qualified to advise you and your team in this area as we helped the City of Corpus Christ achieve this same objective. We have also worked with the the Cities of Laredo, Victoria and Windcrest. The outcome in each scenario was different and we will bring this background to the table for your consideration. It is important to note that we will have our executive management team directly involved in this consulting relationship. We will not delegate or assign the evaluation responsibility and you will see and meet me, Ed Miller - CFO, Cindy Maulsby – VP Finance and Accounting, and Mike Weiland – VP Operations. Our access to the property and personnel involved as well as the City's access to our executive team will be the key to making our relationship productive. As we discussed this matter with a few of your team, we have gained enough insight to propose the following steps in the evaluation of the property and its potential as a business:

1. A comprehensive Market Analysis of Tierra Del Sol Golf Club's competitors and relative position among its competitive market;
2. A thorough review of Pro Shop Operations, Procedures and Performance against our operational standards;
3. A complete review of Agronomics and Golf Course Maintenance Protocol and Performance against our operational standards and procedures;
4. An assessment of the Group Business and Banquet Space effectiveness;
5. A review of the Buildings and the relative effectiveness of each in its contribution to bottom line profitability;
6. An analysis of opportunities and constraints to assess upside potential in pricing and rounds as well as to identify issues that inhibit more successful operations;

7. A detailed evaluation of the operational team by position and responsibility as compared to our staffing model for similar properties. This will not include an evaluation of performance or effectiveness; and
8. A formal presentation on the viability of a lease scenario with a professional management company and or alternatives that take the City out of the risk position whiel maintaining the customer satisfaction and justifies the long term benefit to the City of Pharr and it citizens.

Term

There is much work to be done in the assessment and evaluation of Tierra del Sol Golf Club. We propose to accomplish this work and provide a comprehensive report and recommendation of a period of 2 months from the notice to proceed. We expect that we can also be helpful in the process of crafting a Request for Proposals if the City decides to pursue privatization. We will gladly support this effort under an additional consulting agreement, if and when that is determined or we can simply extend this agreement on a month to month basis with an expanded scope of work by amendment. We only ask that we be allowed to compete in the RFP response and selection process so that we can benefit from the opportunity.

Fees and Expenses

Foresight Golf's fee for this service and the above described efforts will be \$7,500 per month.

Other expenses will be minimal as airfare to visit the property is not required. Travel expenses will include only lodging, when it is necessary to stay overnight and mileage for Foresight management team members other than Dan and Ed.

Commencement

If the terms of this proposal, meet with your agreement, we are ready to start immediately. If you have questions or want to discuss any of the details, please don't hesitate to call or get back with us. It will be a pleasure and privilege to work you and the City of Pharr, Texas.

Sincerely,



Daniel A. Pedrotti, Jr.
President
Foresight Golf, LLC



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 8.A.

DATE SUBMITTED: June 29, 2018

MEETING DATE: July 2, 2018

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Development Services

DIRECTOR:

Agenda Item: Consultation with Legal on Extra Territorial Jurisdiction (ETJ) issues.

Classification: Closed Session

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Item will be discussed in closed session.

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Melanie Cano

Patricia Rigney

City Management Office

Created/Initiated - 06/29/2018

Approved - 06/29/2018

Approved - 06/29/2018

New -