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

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, July 2, 2018 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT:	Mayor Ambrosio Hernandez Comm. Ramiro Caballero Comm. Roberto "Bobby" Carrillo Comm. Daniel Chavez Comm. Ricardo Medina
BOARD OF COMMISSIONERS ABSENT:	Comm. Eleazar Guajardo Comm. Mario Bracamontes
STAFF PRESENT:	Juan G. Guerra, City Manager Edward Wylie, Deputy City Manager Hilda Pedraza, City Clerk Omar Anzaldua, City Engineer Karla Moya, Finance Director Anali Alanis, HR Director Rodolfo Martinez, Municipal Court Judge Leonardo Perez, Fire Chief Jose A. Luengo, Police Chief 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 Rick Castro, I.T. Assistant Director Luis Bazan, Bridge Director Carolina Quintanilla, Purchasing Daniel Ramirez, Communications Dir.
CITY ATTORNEY	Patricia Rigney, City Attorney

ITEM 1. CALL TO ORDER

A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER OF THE GOVERNING BODY

Mayor Pro Tem Carrillo called the meeting to order at 4:00 p.m. Roll call established a quorum.

Comm. Medina **moved** to excuse the absent members. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

Mayor Hernandez arrived at this time being 4:01 p.m.

B) PLEDGE OF ALLEGIANCE/INVOCATION

Juan G. Guerra, City Manager, led in the pledge of allegiance and Luis Bazan, Bridge Director, said the invocation.

ITEM 2. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Castro Rosaisela was not present.

Kenneth Fletcher, residing at 504 S. Diplomat, thanked the City Commission and first responders for their hard work during the recent flooding. Mr. Fletcher voiced his concern with 1000-watt halo light and sound coming from Costco. He also spoke about agenda item 6.A and stated he recently learned the disaster emergency grant was not federal monies. Mr. Fletcher stated public hearings required citizens input and suggested that public hearing items should not be under consent agenda. Lastly, he spoke about Precinct 2 Administration Complex stating there was no writing on the curb and first responders and the public endangered themselves, as they could not see it.

Amira Madrigal, residing at 1204 Grosbeak, spoke about the impact of early literacy support and went over quick tips on how to help. She stated that providing an incentive would allow children to develop a desire to read on their own. She further stated scaffolding allows the child to see how to perform and encouraged parents to read with their children for 10 minutes a day or 15 minutes every other day.

Jerry Saavedra, American Heart Association, voiced his concern with the smoking ordinance and went over the definition of retail cigar bars and some definition options. He asked the Commission to consider the current version of the smoking ordinance.

At this time, Mayor Hernandez stated they reached out to the organizations to inform them what the plans of the City were. He stated the City would fix the issues related to smoking and protecting the health of the residents was their number one priority.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 3. CITY MANAGER'S REPORTS

A) CITY ENGINEER'S REPORT

Juan G. Guerra, City Manager, introduced the item stated City Engineer was in the audience and questions could be entertained at this time. There were no questions.

B) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, reported the Parks and Recreation Department would be having Movies at the Park on Saturday, July 7, 2018 at Jones Box Park. He stated movie to be shown would be Paddington 2 and would start at sunset.

Juan G. Guerra, City Manager, also reported the Parks and Recreation Department would be offering an Afterschool Activity Program starting fall of 2018. He mentioned the cost for program would be $50.00 and would be from Monday thru Friday from 3:30 p.m. to 6:00 p.m. He also advised space was limited and registration began today, July 2, 2018.

Juan G. Guerra, City Manager, further reported the Pharr Economic Development Corporation and the Greater Pharr Chamber of Commerce would be hosting a Summer 2018 Social Media Series presented by Jessie Brands and AR3biz on Tuesday, July 10, 2018 at Pharr Memorial Library located at 121 E. Cherokee Ave. He stated the courses would be for anyone looking to begin or advance in social media skills, courses were complimentary, and would be offered in both English and Spanish.

ITEM 4. 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, REQUESTED 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, REQUESTED 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 PORCIONS 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, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS 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**

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

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

Resolution No. R-2018-38 and Ordinance No.'s O-2018-25 and O-2018-26 are filed with the City Clerk's Office.

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

ITEM 9. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 4:14 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 5:01 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 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)

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

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

Ordinance No. O-2018-27 is filed with the City Clerk's Office.

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)

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

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

Ordinance No. O-2018-28 is filed with the City Clerk's Office.

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)

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

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

Resolution No. R-2018-39 is filed with the City Clerk's Office.

ITEM 6. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, RATIFYING EMERGENCY ACTION TAKEN ON ESTABLISHING A DISASTER EMERGENCY GRANT FUND WITH AFFORDABLE HOMES (GMCD)

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

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

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)

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

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

C) DISCUSSION AND POSSIBLE ACTION REGARDING REGIONAL DRAINAGE ISSUES AFFECTING THE CITY OF PHARR (ENGINEERING)

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

ITEM 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)

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

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

B) 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)

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

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

C) CONSIDERATION AND ACTION, IF ANY, ON QUOTE AND AGREEMENT WITH LEIDOS FOR RELOCATION OF TWO VACIS GAMMA RAY SYSTEMS (BRIDGE)

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

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

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)

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

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

E) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH ZOOMGRANTS FOR CONSULTING SERVICES RELATED TO THE FIVE YEAR CONSOLIDATED PLAN (GMCD)

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

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

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)

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

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

G) CONSIDERATION AND ACTION, IF ANY, ON PROPOSAL FROM FORESIGHT GOLF, LLC FOR CONSULTING SERVICES FOR TIERRA DEL SOL MUNICIPAL GOLF COURSE OPERATIONS (PARKS)

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

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

ITEM 8. LEGAL

A) CONSULTATION WITH LEGAL ON EXTRA TERRITORIAL JURISDICTION (ETJ) ISSUES (DEVELOPMENT SERVICES)

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

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

ITEM 11. ADJOURNMENT

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:05 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 2nd DAY OF JULY 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: July 16, 2018