MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, AUGUST 20, 2018
118 SOUTH CAGE 2nd FLOOR

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, August 20, 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 (arrived at 4:08pm) Comm. Ricardo Medina
BOARD OF COMMISSIONERS ABSENT:	Comm. Mario Bracamontes
STAFF PRESENT:	Juan Guerra, City Manager Edward Wylie, Deputy City Manager Hilda Pedraza, City Clerk Omar Anzaldua, City Engineer Karla Moya, Finance Director Anali Alanis, HR Director Marissa Hernandez, Municipal Court Judge Leonardo Perez, Fire Chief Jose A. Luengo, Asst. Police Chief Melanie Cano, Dev. Services Dir. Ricardo Pedraza, Public Works Director Jose Villescas, Public Utilities Director Sergio Alanis, Parks & Rec. Director Raul Garza, CDBG Director Adolfo Garcia, Library Director Jose Pena, I.T. Director Luis Bazan, Bridge Director Victor Perez, PEDC Director Sandra Zamora, Purchasing Dir. Danny 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 4:03 p.m. Roll call established a quorum.

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

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

ITEM 2. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Kenneth Fletcher stated there were health and public safety issues involving trucks using right-of-way in an unsafe manner. He also stated code compliance officers should offer complaint forms so that complaints are properly logged-in. Lastly, Mr. Fletcher asked the City Commission not to approve item D.2.

Damian Perez, 3319 N. Cage Blvd., stated voiced his concerns with his neighbors Central Materials and stated trucks were unloading on Frontage Road. He stated there has been a lot of dust blowing into his property for the past two years and his father and himself had called Code Enforcement to complain. Mr. Perez showed a picture of an 18-wheeler unable to do a U-turn and reverse blindly into Frontage Road and stated this was unsafe.

Melanie Cano, Development Services Director, stated business owner was present and mentioned the actual owner of the property was Universal Towing and it was her understanding that Central Materials would be vacating property by October 2018.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Kenneth Fletcher representing Heriberto Perez, 3301 N. Cage Blvd., spoke on Item 4.D.2. He stated the current business had not properly posted their Certificate of Occupancy and Conditional Use Permit for outside storage. Mr. Fletcher further stated a 15 to 20 foot wall should be added for buffer purposes and lighting should be positioned away from the nearby property.

ITEM 3. CITY MANAGER'S REPORTS

A) SUBMISSION OF COUNTY TAX COLLECTION REPORT FOR JULY 2018

Juan G. Guerra, City Manager, introduced the County Tax Collection report for the month of July 2018 and briefly stated the City was doing very well with the help of the County.

B) PRESENTATION OF QUARTERLY FINANCIAL REPORT FOR PERIOD ENDING JUNE 30, 2018

Juan G. Guerra, City Manager, introduced the Quarterly Financial Report for period ending June 30, 2018. He stated the report was available online and there was nothing major to report other than the City was doing very well fiscally.

C) CITY EVENTS OF INTEREST

At this time, Juan G. Guerra, City Manager, recognized the top T.A.A.F. athletes who participated in Games of Texas at College Station, Texas on July 26 through July 29, 2018.

Ivan Archer, Aquatics Supervisor, thanked the City Commission for their continued support and thanked the parents and coaching staff. He stated Texas was a very competitive state and reported amazing numbers of medals received from our participants.

Isaac Escobedo, Parks and Recreation Department Division Head, reported sixty participants had competed in Swimming, Track, Golf and Tennis and thanked the City Commission for their continued support. Jaime Lopez, a 12-year old athlete, stated he had been running track since he was 5 years old and thanked Coach Archer, Assistant Coaches and the City Commission for the opportunity to run for his city with pride. Coach Jonathan Landero stated he assists the Parks and Recreation Department Summer Programs and stated the kids surpassed what they accomplished last summer. He further stated he was very proud of the kids and was excited to see what they can do throughout the school year to take it to the next level.

Mayor Hernandez stated the Pharr Aquatics Center natatorium was a partnership-built together by the City of Pharr and PSJA ISD. He explained the Pharr Aquatics Center was built with federal grant funds therefore it was now owned by the Housing and Urban Development (HUD). Mayor Hernandez further stated both the City of Pharr and PSJA ISD may participate in federal programs but must comply with all of HUD rules. He stated any resident of Pharr qualifies to compete in the swim team and informed the public the hours of operation would be posted on the website. Lastly, Mayor Hernandez congratulated the athletes and Coach Landero for their hard work and dedication.

Juan G. Guerra, City Manager, reported on upcoming events at the Pharr Events Center. He also invited everyone to attend the Pharr Night Out on Saturday, August 25, 2018 in downtown Pharr from 6:00 p.m. to 10:00 p.m. and stated this event was to promote crime prevention and awareness strategies.

Juan G. Guerra, City Manager, reported a Bridge Connect would take place on Thursday, August 23, 2018 at the Pharr Development and Research Center from 9:00 a.m. to 12:00 p.m. He stated this event was a series of trade sessions for the trade industry and stated there was no cost for attending.

Juan G. Guerra, City Manager, further reported the Pharr Library received an accreditation letter from the Texas State Library and Archives Commission. He stated the accreditation allows the Library to apply for the federal e-rate grant for discounted broadband services.

Juan G. Guerra, City Manager, also reported the Pharr Family Foundation, Affordable Homes of South Texas Inc. and the Greater Pharr Chamber of Commerce would be hosting a Ribbon Cutting event on August 22, 2018 at 11:00 a.m. at 7609 S. Oro Lane, Pharr. He stated Affordable Homes of South Texas and the City of Pharr had partnered to provide affordable housing opportunities for current and future residents and congratulated the family of Ms. Raquel Gonzalez on their new home.

At this time, Juan G. Guerra, City Manager, recognized Edgar Cazares, Building Inspector, for providing excellent customer service to Camco Wheel & Axel. He stated the business owner was very pleased with Mr. Cazares quality of work and customer service. Mr. Guerra congratulated Mr. Cazares for showing his PRIDE values on the field.

ITEM 4. CONSENT AGENDA

A) CONSIDERATION AND ACTION ON REQUEST TO SELL BEER AT JONES BOX PARK FOR CITY OF PHARR DIEZ Y SEIS DE SEPTIEMBRE CELEBRATION ON SATURDAY, SEPTEMBER 15, 2018 FROM 6:00 P.M - 10:00 P.M. (EVENTS CENTER)

B) CONSIDERATION AND ACTION AUTHORIZING CITY MANAGER TO EXTEND THE SUPPLY CONTRACT FOR CHLORINE WITH DPC INDUSTRIES INC. (PUBLIC UTILITIES)

C) CONSIDERATION AND ACTION AUTHORIZING THE CITY MANAGER TO APPROVE A SERVICE CONTRACT WITH INTERNATIONAL COMMUNITY PUBLICATION (MEXICO INDUSTRY NEWSPAPER) FOR ADVERTISING SERVICES AT $685 PER ISSUE AND 1- INDUSTRIAL MAP EDITION AT $4,000. (1-YEAR CONTRACT) (PROJECT #1718-70-510-IPQ040-001) (BRIDGE)

D) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:

1. JUAN F. SERNA 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 13, BLOCK 4, HUB CITY ACRES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 213 EAST BUTLER STREET. CUP#180751

2. UNIVERSAL TOWING, INC. REQUESTED A CONDITIONAL USE PERMIT TO ALLOW THE OUTSIDE STORAGE OF MATERIALS AND/OR EQUIPMENT IN A LIMITED INDUSTRIAL DISTRICT (L-I).THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 1, MARINA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3301 NORTH CAGE BOULEVARD. CUP#180749

3. MARIO ALBERTO TORRES D/B/A ON THE GRILL RESTAURANT, 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 0.075 OF AN ACRE, MORE OR LESS, OUT OF LOT 1, JACKSON RIDGE COURT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1201 SOUTH JACKSON ROAD, SUITE 7. CUP#170740

4. LEM GROUP, LLC., D/B/A THE BRIDGE BAR & GRILL, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.06 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 2, LUVIL, L.L.C. ESTATES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 508 WEST IH-2, SUITE 13. CUP#150747

PLATS:

1. QUINTANILLA, HEADLEY AND ASSOCIATES, INC., REPRESENTING EDUARDO CANTU, VICE PRESIDENT OF ESPONJAS DEVELOPMENT, LTD., REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED MARIA ELISE ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 20.00 ACRES OUT OF LOT 78, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 700 BLOCK OF EAST OWASSA ROAD. SUB#170615

2. R. GUTIERREZ ENGINEERING CORPORATION, REPRESENTING RIGOBERTO LOPEZ REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED ALTEZZA SUBDIVISION.THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 8.20 ACRE TRACT OF LAND OUT OF LOT 156, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS.THE PROPERTY IS LOCATED AT THE 1700 AND 1800 BLOCK OF NORTH CAGE BLVD. SUB#160614

3. R.E. GARCIA & ASSOCIATES, REPRESENTING JOSE ANDRES VILLARREAL, OWNER, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED VILLANIN SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.375 ACRE TRACT OF LAND BEING A PORTION OF LOT 93, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 100 BLOCK OF EAST MINNESOTA ROAD. SUB#180104

4. MELDEN & HUNT, INC., REPRESENTING DOUGLASS MOYERS, OWNER, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED CARMAX AUTO SUPERSTORE SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RE-SUBDIVISION OF 10.605 ACRES OF LAND OUT OF LOTS 17 AND 18, L.R. BELL DEVELOPMENT "E" SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1000 BLOCK OF EAST INTERSTATE 2. SUB#170717

5. **NAIN ENGINEERING, L.L.C., REPRESENTING ESPERANZA VELAZQUEZ PARRA, PRESIDENT OF ROLIVEL, L.L.C, REQUESTED PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED RESUBDIVISION OF LOT 4, OUT OF THE RESUBDIVISION OF LOT 1, OF THE RESUBDIVISION OF LOTS 43-46, PHARR/LAS MILPAS INDUSTRIAL PARK.THE PROPERTY IS LEGALLY DESCRIBED AS A 4.883 ACRE TRACT OF LAND BEING ALL OF LOT 4, OUT OF THE RESUBDIVISION OF LOT 1, OF THE RESUBDIVISION OF LOTS 43-46, PHARR/LAS MILPAS INDUSTRIAL PARK, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 9200 BLOCK OF SOUTH CAGE BOULEVARD. SUB#180822**

Juan G. Guerra, City Manager, introduced the consent agenda. He recommended item D.2 be removed for further discussion and recommended approval of the rest of consent agenda items.

Comm. Carrillo **moved** to remove item D.2 and approve consent agenda as recommended. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Juan G. Guerra, City Manager, re-introduced item D.2 and called upon Melanie Cano to report on the item.

Melanie Cano, Development Services Director, stated the Planning & Zoning Commission approved the item with additional landscaping requirements as per Landscaping Ordinance and a solid opaque/concrete wall buffer surrounding the property. She added that the building code allows up to eight feet in height for the concrete wall.

Mayor Hernandez asked if there was a timeframe for this to be completed. Mrs. Cano stated it needed to be completed before the Certificate of Occupancy could be issued.

Juan G. Guerra, City Manager, asked about dust issues. Mrs. Cano stated asphalt was also requested as part of the additional requirements.

Comm. Caballero asked if she foresees any dust issues continuing and if all other towing businesses had the same code compliance. Mrs. Cano stated Universal Towing would need to pave before they operate and all business should comply with code unless they were grandfathered-in.

There being no further comments, Juan G. Guerra, City Manager recommended approval of item D.2.

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

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

ITEM 8. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 4:32 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 9. RECONVENE

Juan G. Guerra, City Manager, stated Mayor Hernandez had left the meeting at this point of the agenda and Mayor Pro Tem Carrillo would be conducting the rest of the meeting.

The time being 5:04 p.m., Mayor Pro Tem Carrillo 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 CREATING THE PUBLIC SAFETY COMMUNICATIONS ADVISORY COMMITTEE AND SETTING BY-LAWS *(1ST READING)* (COMMUNICATIONS)

Juan G. Guerra, City Manager, introduced the item and stated this was the first reading of the ordinance and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE SETTING FORTH THE PURPOSE OF ESTABLISHING A CURFEW FOR MINORS *(1ST READING)* (POLICE)

Juan G. Guerra, City Manager, introduced the item and stated this was the first reading of the ordinance. He explained this was the same curfew that had expired in 2016 and recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING FOUR (4) MEMBERS TO THE PHARR ECONOMIC DEVELOPMENT CORPORATION II BOARD OF DIRECTORS (PEDC II)

Juan G. Guerra, City Manager, introduced the item and recommended to re-appoint members.

Comm. Medina **moved** to re-appoint Comm. Eleazar Guajardo, Jerry Munoz, Rey Perez and Mario Lizcano to the Pharr Economic Development Corporation II Board of Directors. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2018-49 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING PHARR POLICE DEPARTMENT TO SUBMIT AN APPLICATION TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FOR 2018. (APPLICATION # 2018-H3347-TX-DJ) (POLICE)

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

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

Resolution No. R-2018-50 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS APPROVING (I) THE RESOLUTION OF THE BOARD OF DIRECTORS OF THE PHARR ECONOMIC DEVELOPMENT CORPORATION II AUTHORIZING AND APPROVING CERTAIN AMENDMENTS TO THE LOAN AND LOAN DOCUMENTS WITH LONE STAR NATIONAL BANK PAYABLE FROM THE CORPORATION'S SALES TAX REVENUE, AUTHORIZING ISSUANCE OF AN AMENDED AND RESTATED NOTE, AND APPROVING THE FORM AND SUBSTANCE AND AUTHORIZING THE EXECUTION AND DELIVERY OF AMENDED AND RESTATED LOAN DOCUMENTS; AND APPROVING AUTHORITY OF THE MAYOR TO EXECUTE A GENERAL CERTIFICATE OF THE CITY, AND SALES TAX REMITTANCE AGREEMENT, TO SUPPORT ECONOMIC DEVELOPMENT PROJECTS" *(TABLED)* (FINANCE)

Juan G. Guerra, City Manager, introduced the item and recommended to un-table.

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

Juan G. Guerra, City Manager, recommended approval.

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

Resolution No. R-2018-51 is filed with the City Clerk's Office.

ITEM 6. ADMINISTRATIVE

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

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL ENERGY CONSULTATION SERVICE (ADMINISTRATION)

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.

ITEM 7. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, ON AWARD OF CONTRACT FOR CITY-WIDE PAVEMENT MARKING SERVICES (PROJECT NO. 1718-01-517-C006-147) (PUBLIC WORKS)

Juan G. Guerra, City Manager, introduced the item and recommended award contract to Pavement Markings.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AMEND ACTIVE SMARTCOM DATA SERVICES AGREEMENTS TO PROVIDE UPGRADED NETWORK SPEED CONNECTIVITY TO CITY FACILITIES (INNOVATION & TECHNOLOGY)

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

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

ITEM 10. ADJOURNMENT

There being no other business to come before the board, Comm. Caballero **moved** to adjourn. Comm. Guajardo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:07 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 20th DAY OF AUGUST 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: September 17, 2018