

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, JULY 17, 2017
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, July 17, 2017 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Pro-Tem Roberto "Bobby" Carrillo
Comm. Eleazar Guajardo
Comm. Ramiro Caballero
Comm. Mario Bracamontes

BOARD OF COMMISSIONERS ABSENT: Mayor Ambrosio Hernandez
Comm. Daniel Chavez
Comm. Ricardo Medina

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Asst. City Manager
Hilda Pedraza, City Clerk
Imelda Barrera, Asst. City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Center Director
Karla Moya, Finance Director
Anali Alanis, HR Director
Rodolfo Martinez, Municipal Court Judge
Javier Gonzalez, Asst. Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Dev. Services Director
Reynaldo Cano, Asst. Public Works Dir.
Jose Villescascas, Public Utilities Director
Sergio Alains, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jason Arms, I.T. Director
Fred Brouwen, Asst. Bridge Director
Victor Perez, PEDC II Director

CITY ATTORNEY Patricia Rigney, Attorney

ITEM 1. CALL TO ORDER

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

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

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

B) PLEDGE OF ALLEGIANCE/INVOCATION

Juan G. Guerra, City Manager, led in the pledge of allegiance and Javier Gonzalez, Assistant Police Chief, said the prayer.

ITEM 2. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

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Manuel Villarreal, 1202 E. Evans, thanked the Commission for the Pharr PRIDE mantras and stated he had seen a lot of improvement in his daily life observations. However, he mentioned that Permits Department was not following the PRIDE mantras from his hands-on experience and professional observation. He stated on April 17, 2017 he applied for a shed to be placed on a lot and had provided the proper setbacks. Mr. Villarreal further stated his permit was denied and the reason for denial was that Hidalgo County Appraisal District indicated there was no permanent structure on the lot. He added he was not in agreement with the reason given for the denial as he had invested a lot of time, resources and money in finding out the nature of the denial. Mr. Villarreal stated he hand delivered a protest and appeal to the Permits Office on June 1, 2017 and later on June 2, 2017 he received a call from the permits office and stated that he found the call to be condescending and dismissive. He spoke with Mr. Martinez in the Permits Office regarding a note where the Pharr Municipal Code precludes that but he would review and investigate the code. He later filed an appeal with the permits office on June 7, 2017 but he has not yet received a call back regarding his permit.

Jose Evaristo Degollado, 2314 N. Jackson Rd., stated he was against the construction of AEP electrical substation for safety issues and impaired value of property. He also showed the commission a picture of a home located on Monte Cristo Road and McColl Road and stated he was afraid that this to might happen to his property and the surrounding properties. Lastly, he stated he would greatly appreciate the consideration on decisions to this matter.

Angela Ridling, Safe Haven for Kids Emergency Shelter, stated the emergency shelter was created for abused children who need transportation from the Rio Grande Valley area to other shelters hours away. She further stated that out of the 254 counties in Texas, Hidalgo County was number seven in being the worst county for child abuse.

At this time, she extended an invitation to everyone to attend the Open House on July 27, 2017 from 2:00 p.m. to 8:00 p.m. at 1700 N. Alamo Road, in Alamo. She further stated there were still a lot of items needed for the shelter and would appreciate any help from anyone listening and the community.

Melody Garcia, Director of Residential Services for Safe Haven for Kids, stated she had received training in residential operations for children who have been in and out of placements and children who now exhibit violent and aggressive behavior because of the abuse and neglect they experienced. She further stated they would not only be opening a shelter but would be using a program that alleviates symptoms of trauma and would be doing many great things at Safe Haven for these kids.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

No one signed-up to speak.

ITEM 3. CITY MANAGER'S REPORTS

A) SUBMISSION OF JUNE 2017 TAX COLLECTION REPORT (FINANCE)

Juan G. Guerra, City Manager, introduced the tax collection report for the month of June 2017 and reported both current and delinquent taxes were up.

B) SUBMISSION OF JULY 2017 SALES TAX REPORT (FINANCE)

Juan G. Guerra, City Manager, reported sales tax were up 5% for the month of July 2017 and overall up 2% for the fiscal year.

C) CITY EVENTS OF INTEREST

Juan G. Guerra, City Manager, reported Public Works would be conducting its monthly Operation Clean Sweep on July 29, 2017 for Zone 12 and the meet up location would be Fire Station No. 3.

Juan G. Guerra, City Manager, reported "Movies at the Park" would be taking place at Dr. Long Park on Saturday, July 22, 2017 and the featured movie would be Moana and will start at sunset. He invited the community to bring their blankets, lawn chairs, and snacks to enjoy the movie.

Juan G. Guerra, City Manager, reported PAL Golf Tournament would be held at Tierra Del Sol Golf Club on Saturday, July 22, 2017 at 8:00 a.m. and stated the tournament was a fundraiser for sport programs.

Juan G. Guerra, City Manager, reported the City of Pharr would be hosting its Public Safety Memorial 5K Run/Walk on Saturday, August 5, 2017 and invited the community to participate.

Juan G. Guerra, City Manager, reported the Pharr Economic Development Corporation would be hosting a ribbon cutting for El Mana Cuisine on July 18, 2017 at 10:00 a.m. He stated the restaurant was locally owned and specialized in Mexican food.

Juan G. Guerra, City Manager, reported the Pharr Economic Development Corporation would be hosting a Lift Fund Workshop at 1215 S. Cage Boulevard on July 19, 2017 at 10:00 a.m. He further stated the workshop was alongside with the RGV Hispanic Chamber for aspiring entrepreneurs starting or expanding their business and it will offer effective methods to guide businesses in obtaining financial assistance from lenders.

Juan G. Guerra, City Manager, reported the Pharr Economic Development Corporation in conjunction with Workforce Solutions would be hosting the Annual RGV Job Fair at the Boggus Ford Events Center on July 20, 2017 from 9:00 a.m. to 1:00 p.m. He stated this event will host numerous employers and agencies to promote available jobs and career opportunities in a variety of fields and stated it was free to the public.

Juan G. Guerra, City Manager, reported the Pharr Economic Development Corporation would be hosting a groundbreaking ceremony for Murphy USA located at 1107 S. Jackson Road on July 21, 2017 at 10:00 a.m. He stated Murphy USA was one of many future locations to be opening in the area and they would be offering discounted pricing for vehicle fueling and a quick stop shop for picking up snacks on the go.

Juan G. Guerra, City Manager, reported the Pharr International Bridge, CBP and SAT would be having a bridge connect meeting called Update on Modernization of NAFTA & Bi-National infrastructure projects on Thursday, July 27, 2017 from 2:00 p.m. to 4:00 p.m. at Tierra Del Sol Golf Club. He stated this seminar was to update the trade on the latest developments regarding NAFTA and projects on both sides of the border. He added NAFTA was very important to this region.

Juan G. Guerra, City Manager, reported the International Gaming Expo would take place at Boggus Ford Events Center on July 28 through 30, 2017 and stated this was an expo of epic gaming, live concerts, international professional gamers and various characters doing cosplay. He mentioned more than 20,000 in cash prizes will be given out to the winners and tickets were now on sale at internationalgamingexpo.com. He further stated free ticket giveaways on the City of Pharr Facebook page.

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Juan G. Guerra, City Manager, lastly reported Pharr Media was conducting a contest on the City of Pharr Facebook page which has over 32,000 followers, but out of those 32,000 followers, only 6,300 are actual Pharr residents. He stated we feel Facebook was a great resource for directly sharing our news and successes with the public. He asked the public to go to the City of Pharr Facebook page and simply, "LIKE" the page. He further stated that by doing so, you could win a \$100 gas card and a family 6-pack of free passes to the Pharr Aquatic Center.

ITEM 4. CONSENT AGENDA

- A) APPROVAL OF MINUTES FOR JUNE 30, 2017 SPECIAL CALLED MEETING; AND JULY 3, 2017 REGULAR CALLED MEETING (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF WEST US HIGHWAY 83 BETWEEN PALM DRIVE AND ASTER STREET FOR THE INAUGURAL PUBLIC SAFETY MEMORIAL 5K RUN/WALK ON SATURDAY, AUGUST 5, 2017 (PARKS/PAL)**
- C) CONSIDERATION AND ACTION, IF ANY, ON STREET CLOSURES FOR THE INAUGURAL PUBLIC SAFETY MEMORIAL 5K RUN/WALK SCHEDULED FOR SATURDAY, AUGUST 5, 2017 (PARKS/PAL)**
- D) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM THE AMERICAN BIKERS ASSOCIATION FOR DONATION IN THE AMOUNT OF \$1,500 FOR THEIR KICKSTANDS FOR KIDS SCHOOL DRIVE EVENT (ADMINISTRATION)**
- E) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM THE U.S. GENERAL SERVICES ADMINISTRATION FOR A 20-FT DRAINAGE EASEMENT FOR A NEW FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMSCA) FACILITY LOCATED AT THE PHARR-REYNOSA INTERNATIONAL BRIDGE (ENGINEERING)**
- F) CONSIDERATION AND ACTION, IF ANY, ON PSJA ISD REQUEST FOR THE USE OF THE BOGGUS FORD EVENTS CENTER - FREE OF CHARGE - ON TUESDAY SEPTEMBER 26, 2017 FROM 5:00 PM - 9:00 PM FOR ANNUAL COLLEGE NIGHT EVENT (EVENTS CENTER)**
- G) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM THE RIO GRANDE VALLEY CHAPTER OF FAMILIES & FRIENDS OF MURDERED CHILDREN INC. TO USE THE BOGGUS FORD EVENTS CENTER - FREE OF CHARGE - ON MONDAY SEPTEMBER 25, 2017 FROM 6:30 PM - 8:30 PM FOR THEIR BANQUET (EVENTS CENTER)**
- H) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:**
 - 1. SCALISI'S CHICAGO PIZZA & MORE FILED REQUESTED A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.073 OF AN ACRES, MORE OR LESS, OUT OF LOT 2, NOLANA BUSINESS PLAZA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 912 EAST NOLANA LOOP, SUITES R, S AND T.**

- 2. JOHN M. GARCIA, REPRESENTING AEP TEXAS, INC., REQUESTED A LIFE-OF-THE-USE SPECIAL USE PERMIT TO ALLOW AN ELECTRICAL SUBSTATION IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING THE SOUTH ONE-HALF (1/2) OF THE SOUTH ONE-HALF (1/2) OF LOT 6, BLOCK 5, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 2400 BLOCK OF NORTH JACKSON ROAD.

- 3. THE CITY OF PHARR, D/B/A BOGGUS FORD EVENTS CENTER, 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 LOT 1, TIP-O-TEXAS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3000 NORTH CAGE BOULEVARD.

- 4. RUDY'S TEXAS BAR-B-Q, L.L.C. / CARLOS TORRES, D/B/A RUDY'S COUNTRY STORE BAR-B-Q, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, LOS HOTELES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 209 WEST NOLANA LOOP.

- 5. HALFF & ASSOCIATES, INC., REPRESENTING SOUTH TEXAS COLLEGE, A POLITICAL SUBDIVISION / SHIRLEY A. REED, M.B.A., ED. D. PRESIDENT, REQUESTED A CHANGE OF ZONE FROM AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING THE WEST 330' OF LOT 255, AND A TRACT OF LAND CONTAINING 54.06 ACRES, MORE OR LESS, OUT OF LOTS 258, 259 AND 260, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 3900 BLOCK OF SOUTH CAGE BOULEVARD.

Juan G. Guerra, City Manager, introduced the items and briefly stated item H-2 was approval to deny as recommended by the Planning & Zoning Board. He further recommended approval of the consent agenda.

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

Resolution No. R-2017-51 and Ordinance No. O-2017-28 are filed with the City Clerk's Office.

ITEM REGULAR AGENDA - OPEN SESSION

ITEM 5. ORDINANCES AND RESOLUTIONS

- A) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2015-54 (FEE ORDINANCE), PROVIDING FOR REPEALING OF CONFLICT ORDINANCE(S) CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE – 1ST READING (DEVELOPMENT SERVICES)**

Juan G. Guerra, City Manager, introduced the item and briefly stated this was to update the cell tower fees and recommended approval.

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

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B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2017-15 FOR BUDGET AMENDMENTS TO THE FISCAL YEAR 2016-2017 BUDGET (FINANCE)

Juan G. Guerra, City Manager, introduced the item and no action would be taken since it required six (6) votes.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ABANDONING A PORTION OF WEST CAFFERY AVENUE AND A PORTION OF A 20 FOOT DEDICATED ALLEY LYING WEST OF S. CASA ROAD AND BETWEEN PORTIONS OR ALL OF LOTS 2, 3, 4, 5, AND 6 OF MCALLEN-PHARR STORAGE RENTALS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS, RECORDED APRIL 24, 1978 – 1ST READING (DEVELOPMENT SERVICES)

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

Comm. Guajardo moved to approve. Comm. Caballero seconded the motion.

Comm. Caballero requested more details on item. Juan G. Guerra, City Manager, explained this was to abandon a future road or alley to allow for future development that may take place in that area.

The motion was put to a vote and it carried unanimously.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPROVING THE CITY OF PHARR 2017 PARKS, RECREATION, AND OPEN SPACE MASTER PLAN (PARKS/PAL)

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

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

Resolution No. R-2017-52 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2017-23 SETTING BY-LAWS FOR THE BEAUTIFICATION COMMITTEE – 1ST READING (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the item. He briefly stated this was needed in order to start having meetings for this committee and recommended approval.

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

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE PLANNING AND ZONING COMMISSION TO BE THE CITY'S RESPONSIBLE BOARD FOR REQUESTS FOR NAME CHANGES FOR CITY STREETS AND CITY OWNED BUILDING/ASSETS (DEVELOPMENT SERVICES)

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

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

Resolution No. R-2017-53 is filed with the City Clerk's Office.

ITEM 6. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NUMBER 2 AND FINAL RECONCILIATION OF QUANTITIES FOR THE OFF-SITE UTILITY IMPROVEMENTS FOR SOUTH PHARR DEVELOPMENT & RESEARCH CENTER (BID NUMBER 1516-01-528-0035) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and stated this was a deduction in the amount of \$42,000 and final payment to the developer. He further recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, DECLARING 504 W. JUAREZ AVE. AS SURPLUS PROPERTY AND REQUESTING TO AUCTION (DEVELOPMENT SERVICES)

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

Comm. Guajardo moved to approve. Comm. Caballero 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 THE SINGLE MACHINE REPAVING PROJECT YEAR 2 PHASE B (BID NO. 1617-01-528-0036) (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and briefly stated this was approximately \$810,000 to Cutler Repaving Inc. and recommended approval.

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

At this time, Juan G. Guerra, City Manager, stated they would deviate from the agenda and go to item 7-C. There was no objection.

C) CONSIDERATION AND ACTION, IF ANY, ON AFFILIATION AGREEMENT BETWEEN CITY OF PHARR FIRE DEPARTMENT AND DOCTORS HOSPITAL AT RENAISSANCE FOR THE CITY OF PHARR EMT PROGRAM (FIRE)

Juan G. Guerra, City Manager, introduced the item and stated this agreement would allow our firefighters to receive the training hours at Doctors Hospital Renaissance (DHR) and stated training would be provided at no cost. He further recommended approval.

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

At this time, Mayor Pro Tem Carrillo stated that 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 4:22 p.m., Mayor Pro Tem Carrillo stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

ITEM 10. RECONVENE

The time being 4:42 p.m., Mayor Pro Tem Carrillo stated the commission would be resuming the open meeting.

ITEM 7. CONTRACTS/AGREEMENTS

B) CONSIDERATION AND ACTION, IF ANY, ON LETTER OF COMMITMENT FOR THE CITY OF PHARR TO BE A FINANCIAL PARTNER WITH PSJA ISD FOR THE ANN CASEY FOUNDATION APPLICATION STUDY (PEDC II)

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

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

ITEM 8. LEGAL

A) CONSULTATION AND POSSIBLE ACTION ON SETTLEMENT DEMAND OF RAUL N. GARCIA (LEGAL)

Juan G. Guerra, City Manager, introduced the item and recommended no action.

B) CONSULTATION AND POSSIBLE ACTION ON SB1004 (LEGAL)

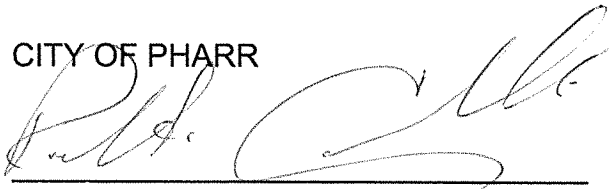
Juan G. Guerra, City Manager, introduced the item and recommended approval as discussed in closed session.

Comm. Guajardo moved to approve as discussed in executive session. Comm. Bracamontes 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. Caballero seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:44 p.m.

CITY OF PHARR


ROBERTO "BOBBY" CARRILLO
MAYOR PRO TEM

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**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR**

ON THIS THE 17TH DAY OF JULY 2017 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: August 7, 2017