

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, AUGUST 19, 2019
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, August 19, 2019 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Roberto "Bobby" Carrillo
Comm. Ramiro Caballero
Comm. Daniel Chavez
Comm. Ricardo Medina
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Alex Meade, City Manager
Ed Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Center Director
Karla Saavedra, Finance Director
Anali Alanis, HR Director
Marissa Hernandez, Municipal Court Judge
Eloy Salazar, Assistant Fire Chief
Jose Luengo, Police Chief
Melanie Cano, Dev. Services Dir.
Ricardo Pedraza, Public Works Director
Jose Villescascas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Raul Garza, CDBG Director
Mike Singleterry, Library
Jose Pena, I.T. Director
Luis Bazan, Bridge Director
Veronica Gutierrez, Purchasing
Kenneth Ennis, Asst. Comm. Director

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

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

At this time, Mayor Hernandez recognized Martin Cantu, Hidalgo County Precinct 2 Constable, and thanked him for his service. Mr. Cantu stated Hidalgo County Precinct 2 had a great relationship with the City of Pharr and thanked the Commission for their continued collaboration.

ITEM 2. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

No one signed up to speak.

ITEM 3. CITY MANAGER'S REPORTS

A) SUBMISSION OF CERTIFIED TOTALS FOR TAX ASSESSED VALUES 2019

Alex Meade, City Manager, introduced item and reported Hidalgo County finalized City of Pharr property assessment value for tax year 2019 on July 29, 2019. He stated the total net taxable value for 2019 was \$3,186,690,986.

B) SUBMISSION OF SALES TAX COLLECTION REPORT FOR AUGUST 2019

Alex Meade, City Manager, introduced item and reported the sales activity for the City of Pharr as of the month of August 2019 has shown an overall positive trend in the amount of \$2,525,271 from this point last year, or an increase of 15.10%.

C) SUBMISSION OF TAX COLLECTION REPORT FOR JULY 2019

Alex Meade, City Manager, introduced item. He reported current tax collections as of July 2019 were \$18,250,661 or 95.38% collected out of this year's levy and stated this was a decrease of 0.24% compared to last year.

D) SUBMISSION OF QUARTERLY REPORT FOR PERIOD ENDING JUNE 2019

Alex Meade, City Manager, introduced item. He reported as part of City fiscal transparency, city financial reports were prepared on a quarterly basis in order to maintain our citizens informed. He stated the report was preliminary and unaudited and prepared by our Finance Department. He stated the report was in their packet and Finance Director, Karla Saavedra, was available for any questions.

E) CITY EVENTS OF INTEREST

Alex Meade, City Manager, introduced item and stated there were no city events to report at this time.

ITEM 4. CONSENT AGENDA

A) APPROVAL OF MINUTES FOR AUGUST 7, 2019 REGULAR CALLED MEETING AND AUGUST 9, 2019 WORKSHOP MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION AUTHORIZING PHARR POLICE DEPARTMENT TO SUBMIT APPLICATION FOR THE 2020 TXDOT STEP CMV COMPREHENSIVE GRANT (POLICE)

C) CONSIDERATION AND ACTION AUTHORIZING PHARR POLICE DEPARTMENT TO SUBMIT APPLICATION FOR THE 2020 TXDOT STEP COMPREHENSIVE GRANT (POLICE)

D) CONSIDERATION AND ACTION AUTHORIZING PHARR POLICE DEPARTMENT TO SUBMIT APPLICATION FOR THE 2019 EDWARD BYRNE MEMORIAL JUSTICE GRANT (POLICE)

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR THE HIKE & BIKE PHASE II-RIDGE ROAD UTILITY RELOCATION PROJECT (PROJECT #1819-40-510-C020-301) (ENGINEERING)

- F) CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF MEMORANDUM OF UNDERSTANDING WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR CERTIFICATION OF COMMERCIAL VEHICLE AND WEIGHT ENFORCEMENT (POLICE)
- G) CONSIDERATION AND ACTION, IF ANY, ON A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PHARR, TEXAS AND THE GOVERNMENT OF THE STATE OF ZACATECAS THROUGH THE SECRETARY OF CAMPO-ZACATECAS, MEXICO (BRIDGE)
- H) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:
1. 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
 2. CITY OF PHARR, D/B/A TIERRA DEL SOL GOLF CLUB, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A PLANNED UNIT DEVELOPMENT DISTRICT (PUD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A TRACT OF LAND CONTAINING 139.37 ACRES, MORE OR LESS, OUT OF LOTS 225, 226, 238, 239, 240, 241, 242 AND 243 AND ALL LAND COMPRISING OF THE GOLF COURSE, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 700 EAST HALL ACRES ROAD. CUP#160628
 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. R & R CAPITAL INVESTMENT GROUP LLC. REQUESTED A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO RESIDENTIAL-MULTI-FAMILY HIGH DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.28-ACRE TRACT OF LAND, OUT OF THE N5 ACRES OF THE S15 ACRES OUT OF LOT 121, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3401 NORTH SUGAR ROAD. COZ#190748
 5. MARIA DEL CARMEN ALVAREZ REQUESTED A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO A NEIGHBORHOOD COMMERCIAL DISTRICT (N-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 2, BLOCK 1, SAVE AND EXCEPT A 0.02-ACRE TRACT OF LAND OUT OF THE VAN WILLIAMS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 217 WEST SAM HOUSTON AVENUE. COZ#190751

Alex Meade, City Manager, introduced the item and recommended approval of the consent agenda.

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

Ordinance Nos. O-2019-28 and O-2019-29 are 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

The time being 4:05 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 5:57 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 CALLING A BOND ELECTION TO BE HELD IN THE CITY OF PHARR, TEXAS; MAKING PROVISION FOR THE CONDUCT OF AN ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION, INCLUDING AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CITY'S BOND COUNSEL (ADMINISTRATION)**

Mayor Hernandez introduced the item.

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

- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ESTABLISHING PROCEDURES FOR PUBLIC TESTIMONY (2ND AND FINAL READING) (ADMINISTRATION)**

Alex Meade, City Manager, introduced the item.

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

Ordinance No. O-2019-30 is filed with the City Clerk's Office.

- C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2018-45 PERTAINING TO PUBLIC COMMENTS (2ND AND FINAL READING) (ADMINISTRATION)**

Alex Meade, City Manager, introduced the item.

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

At this time, Patricia Rigney, City Attorney, recommended the motions be rescinded to clarify removal of public comments.

Comm. Carrillo and Comm. Guajardo rescinded their motions.

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

Ordinance No. O-2019-31 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2017-32 RENAMING THE PHARR BEAUTIFICATION COMMITTEE TO KEEP PHARR BEAUTIFUL COMMITTEE (3RD AND FINAL READING) (ADMINISTRATION)

Alex Meade, City Manager, introduced the item.

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

Ordinance No. O-2019-32 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2010-33 REGULATING BUSINESS, STORAGE, DISPOSAL, REGISTRATION AND HAULERS FOR TIRES (3RD AND FINAL READING) (PUBLIC WORKS)

Alex Meade, City Manager, introduced the item.

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

Ordinance No. O-2019-33 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2017-12 (ANIMAL CONTROL) (3RD AND FINAL READING) (PUBLIC WORKS)

Alex Meade, City Manager, introduced the item.

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

Ordinance No. O-2019-34 is filed with the City Clerk's Office.

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPROVING THE CONTINUED RECEIPT OF BINGO PRIZE FEE FUNDS IN ACCORDANCE WITH HOUSE BILL 914 (ADMINISTRATION)

Alex Meade, City Manager, introduced the item.

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

Resolution No. R-2019-42 is filed with the City Clerk's Office.

H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ADOPTING RULES OF PROCEDURE FOR PLACEMENT AND REMOVAL OF AGENDA ITEMS FOR CITY COMMISSION AGENDAS (ADMINISTRATION)

Alex Meade, City Manager, introduced the item and recommended approval subject to the following changes. He stated the Mayor or Mayor Pro Tem shall determine the contents of the agenda relating to policy items. The Mayor should transmit these items to the City Manager within the time frame for adding items to the agenda and in time for distribution to the City Commission. He further stated removal and modification of agenda items relating to operational items shall be at the discretion of the City Manager or Deputy City Manager.

Comm. Carrillo **moved** to approve as recommended. Comm. Chavez seconded the motion and when put to a vote, it carried by a majority vote of five (5) ayes and (2) nays. Comm. Medina and Comm. Guajardo voted against the motion.

Resolution No. R-2019-43 is filed with the City Clerk's Office.

I) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING THREE (3) MEMBERS TO THE PHARR ECONOMIC DEVELOPMENT CORPORATION II BOARD OF DIRECTORS (ADMINISTRATION)

Alex Meade, City Manager, introduced the item. He stated the terms of Mayor/Board President Ambrosio Hernandez, Commissioner Ramiro Caballero and Commissioner Ricardo Medina would expire on September 18, 2019 and recommended reappointment.

Comm. Carrillo **moved** to reappoint Mayor Ambrosio Hernandez, Commissioner Ramiro Caballero and Commissioner Ricardo Medina to the Pharr Economic Development Corporation II. Comm. Guajardo seconded the motion and when put to a vote, it carried by majority vote of six (6) ayes and one (1) abstention. Mayor Hernandez abstained from voting.

Resolution No. R-2019-44 is filed with the City Clerk's Office.

ITEM 6. ADMINISTRATIVE

A) SUBMISSION AND CERTIFICATION OF EFFECTIVE AND ROLLBACK TAX RATE PER HIDALGO COUNTY APPRAISAL DISTRICT FOR TAX YEAR 2019 (FINANCE)

Alex Meade, City Manager, introduced the item. He briefly explained Hidalgo County Appraisal District issues benchmark tax rates to compare the existing tax rate with last year's rate, and effective and rollback rates. He stated this was for information purposes only and to have a benchmark when considering a proposing for new tax rate.

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

B) DISCUSSION AND ACTION FOR VOTE ON PROPOSED TAX RATE INCREASE AND SCHEDULE PUBLIC HEARINGS (FINANCE)

Alex Meade, City Manager, introduced the item. He briefly explained all municipalities were required to hold two public hearings whenever the proposed tax rate exceeded the effective tax rate and a record vote had to be taken. He recommended approval of the proposed tax rate and announced the dates of the public hearings. He stated the first public hearing would take place on September 3, 2019 at 4:00 p.m. and the second public hearing would take place on September 9, 2019 at 4:00 p.m.

Comm. Guajardo **moved** to approve the proposed tax rate increase of .7176¢; Comm. Carrillo **moved** to approve the proposed tax rate increase of .7176¢; Comm.

Caballero moved to approve the proposed tax rate increase of .7176¢; Mayor Hernandez moved to approve the proposed tax rate increase of .7176¢; Comm. Chavez moved to approve the proposed tax rate increase of .7176¢; Comm. Medina moved to approve the proposed tax rate increase of .7176¢; and Comm. Flores moved to approve the proposed tax rate increase of .7176¢. The motion carried unanimously.

C) CONSIDERATION AND ACTION, IF ANY, ON AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT FOR ENERGY CONSULTANT SERVICES (PROJECT #1819-01-510-S029-235) (PURCHASING)

Alex Meade, City Manager, introduced the item and reported four (4) bids were received for energy consulting services. He stated three of the four bidders were lacking required information and were declared non-responsive and only one bidder completed the bid packet. He recommended to award the service contract to Marco Arredondo, Inc. for professional electricity consulting services related to the procurement and delivery of electricity for its facilities with the option to extend the contract for two (2) additional years, in one (1) year increments, and subject to satisfactory performance and the negotiated prices remain firm.

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

D) CONSIDERATION AND ACTION, IF ANY, ON COUNTER OFFER FOR THE LAND ACQUISITION OF LOT 3, LUVILL LLC ESTATES, PHARR, HIDALGO COUNTY, TEXAS (DEVELOPMENT SERVICES)

Alex Meade, City Manager, introduced the item. He explained certain property was necessary for the furtherance of road improvements and associated projects that would be beneficial to the residents of Pharr. He stated an initial offer of \$320,000 was made to the property owner as indicated in the appraisal report and the property owner had responded with a request of \$609,000 plus taxes for three years. He further stated staff recommended a final counter offer of \$385,000.

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

ITEM 7. PURCHASING

A) CONSIDERATION AND ACTION, IF ANY, ON ACQUISITION OF TECHNOLOGY EQUIPMENT FOR THE PHARR POLICE DEPARTMENT (PROJECT #1819-01-512-IPQ077-001) (POLICE)

Alex Meade, City Manager, introduced the item and stated this was to replace mobile data terminals, body worn cameras, in-car recording system, criminal investigation interview room, and building surveillance cameras. He further stated the current equipment was outdated and recommended approval.

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

ITEM 8. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION IF ANY ON AGREEMENT WITH PHARR SAN JUAN ALAMO SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER (SRO) SERVICES (POLICE)

Alex Meade, City Manager, introduced the item and stated Pharr-San Juan-Alamo Independent School District would reimburse the City for the police officers' salary at a rate of not less than \$21,691.21 for each officer per year until January 31, 2020. He stated this amount would be earned on a per day basis at the rate of \$246.46 not to exceed 88 instructional school days for the total of \$173,529.68. Additionally, a normal work day would consist of 8.25 hours that would be determined by Police Administration and the respective campus principals and recommended approval.

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

B) CONSIDERATION AND ACTION IF ANY OF AGREEMENT BETWEEN THE PHARR POLICE DEPARTMENT AND PHARR SAN JUAN SCHOOL DISTRICT FOR POLICE K-9 SERVICES (POLICE)

Alex Meade, City Manager, introduced the item and stated Pharr-San Juan-Alamo Independent School District would reimburse the City for the K9 team's salary at a rate of not less than \$50.00 for each hour the K9 team is used. He stated the agreement would cover until the end of the school year on May 24, 2020. He added this amount would be earned on an hourly basis not to exceed 168 instructional school days and the normal workday would consist of 8 hours to be determined by police administrators and respective campus principals. He further recommended approval.

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

C) CONSIDERATION AND ACTION IF ANY ON AGREEMENT WITH VALLEY VIEW INDEPENDENT SCHOOL DISTRICT FOR POLICE K-9 SERVICES (POLICE)

Alex Meade, 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.

D) CONSIDERATION AND ACTION, IF ANY, REJECTING ALL BIDS FOR THE CITY OF PHARR MONUMENT SIGNAGE PROJECT (PROJECT NO. 1819-40-510-C015-019) AND AUTHORIZING THE CITY MANAGER TO RE-ADVERTISE FOR BIDS ON AWARD OF CONTRACT (ENGINEERING)

Alex Meade, City Manager, introduced the item and stated formal bids were opened on August 8, 2019 and there were two respondents to the solicitation. He stated bids received ranged from \$128,429 to \$139,505 bids came-in over budget. Therefore, he recommended rejecting all bids and authorize staff to re-advertise.

Comm. Carrillo moved to approve as recommended. Comm. Chavez 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. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:10 p.m.

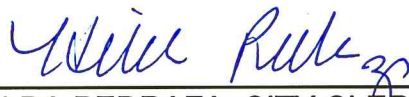
CITY OF PHARR


AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 19th DAY OF AUGUST 2019 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, Teas, certify that this is a true and correct copy of the minutes.

ATTEST:



HILDA PEDRAZA, CITY CLERK

APPROVED: September 3, 2019