

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, OCTOBER 21, 2019
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, October 21, 2019 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Mayor Pro Tem Roberto "Bobby" Carrillo
Comm. Ramiro Caballero
Comm. Daniel Chavez
Comm. Itza Flores

BOARD OF COMMISSIONERS ABSENT: Comm. Eleazar Guajardo
Comm. Ricardo Medina

STAFF PRESENT: Alex Meade, City Manager
Edward Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Ctr. Director
Karla Saavedra, Finance Director
Anali Alanis, HR Director
Marissa Hernandez, Municipal Court Judge
Leonardo Perez, Fire Chief
Jose Luengo, Police Chief
Melanie Cano, Dev. Services Dir.
Rick 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
Daniel Ramirez, Communications 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 BOARD

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

Comm. Carrillo moved to excuse the absent members. Comm. Chavez 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 and said the invocation.

ITEM 2. PROCLAMATIONS

A) PROCLAMATION PROCLAIMING ARBOR DAY

Allen Williams, Parks and Recreation Board member, spoke about the value of trees and encouraged the planting of trees at city/school parks and during Rio Reforestation days.

Mayor Hernandez read proclamation proclaiming November 2, 2019 as Arbor Day and presented proclamation to Mr. Williams.

At this time Mayor Hernandez called upon Pete Alvarez, TxDOT District 21 Engineer. Mr. Alvarez provided an update on the I-2/I-69 Interchange Project. He stated the proposed project limits on I-2 were from 2nd Street in McAllen to Stewart Rd. in San Juan and on I-69C from Nolana Loop to I-2 in Pharr. He further stated the project will include a two-lane direct connectors and on and off ramps to optimize mobility. He stated an engineering analysis was being done on the on and off ramp at Jackson Road and turnaround at Sugar Road. He further stated this was a 3-year project and construction would begin in April or May 2020.

At this time, Alex Meade, City Manager recognized Bibyana Morales. He stated Ms. Morales represented our state of Texas at Miss Teen USA Belleza Internacional and won. She then advanced to the international pageant held in the Dominican Republic and was crowned Miss Teen Belleza Internacional on September 14, 2019.

ITEM 3. PUBLIC TESTIMONY

There were no comments from the public.

ITEM 4. PUBLIC HEARINGS

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Mayor Hernandez opened the public hearing. There being no comments from the public, the public hearing was closed.

ITEM 5. CITY MANAGER'S REPORTS

A) SUBMISSION OF SALES TAX COLLECTION REPORT FOR OCTOBER 2019

Alex Meade, City Manager, introduced the item and stated City of Pharr showed an increase of 14% compared to last October 2018 collections. He briefly stated the City ranked number nine this month compared to nine other cities in the Valley but ranked number one in collections year-to-date.

B) SUBMISSION OF TAX COLLECTION REPORT FOR SEPTEMBER 2019

Alex Meade, City Manager, introduced the item and stated current tax collections as of September 2019 were \$18,407,684 or 96.20% collected out of this year's levy. He briefly stated this was a 0.04% increase compared to last year.

C) CITY EVENTS OF INTEREST

Alex Meade, City Manager, reported the Pharr Memorial Library would be hosting their Annual Haunted House on October 24-25, 2019 and stated admission was free but tickets were required. He further reported tickets could be picked-up at the Pharr Memorial Library Children's Department and additional information was available by calling the library to 956-402-4650.

Alex Meade, City Manager, reported Parks and Recreation would be hosting their Movies at the Park on Saturday, October 26, 2019 at Victor Garcia Park and a Nightmare on Fir Street event on October 30, 2019 at the Pharr Aquatic Center. He further reported the Pharr Police Department would be hosting their annual Pharr Phall Festival on Thursday, October 31, 2019 at Lorenzo Garcia Park.

Alex Meade, City Manager, further reported City of Pharr partnered with STC to provide area high schools with cybersecurity training to increase interest in this field. He stated two presentations would be provided on October 29, 2019 at two facilities.

At this time, Comm. Carrillo stated Southwest Early College High School, Raiders High School, and T-STEM High School were assisting the City of Pharr with the three major infrastructure projects. He stated the students would be at the next City Commission meeting to present their project name and logo for each assigned project.

ITEM 6. CONSENT AGENDA

- A) APPROVAL OF MINUTES FOR OCTOBER 7, 2019 REGULAR CALLED MEETING (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION ON REQUEST FROM RICK QUICK STOP TO CLOSE THE 400 BLOCK OF WEST STATE AVENUE ON SATURDAY, NOVEMBER 23, 2019 FROM 3:00 P.M. TO 6:00 P.M. FOR THEIR ANNUAL CUSTOMER APPRECIATION DAY (ADMINISTRATION)**
- C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2019-30 PERTAINING TO PUBLIC TESTIMONY (2ND READING) (ADMINISTRATION)**
- D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O- 2017-35 ADDING AN ADVERSE INCIDENT PAY POLICY TO THE PERSONNEL POLICY MANUAL (3RD AND FINAL READING) (HR)**
- E) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE REPEALING ORDINANCES O-2011-27 AND O-2011-52 RENAMING NEWCOMBE AVE. TO ITS ORIGINAL STREET NAME PARK AVE. (3RD AND FINAL READING) (DEVELOPMENT SERVICES)**
- F) CONSIDERATION AND ACTION ON DEVELOPMENT SERVICES CASES:**
 - 1. TOPGOLF USA PHARR, LLC., 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 A 15.347 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 1, TOP GOLF PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1900 BLOCK OF WEST INTERSTATE HIGHWAY 2. CUP#170846**
 - 2. STEFANO'S PIZZA EXPRESS, 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 0.06 ACRES, MORE OR LESS, OUT OF LOT 4A, REPLAT OF VACATED CAR-MEL SUBDIVISION, VACATED EL CENTRO MALL NO. 3 & 4 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 500 NORTH JACKSON ROAD, SUITE N-3. CUP#190536**
- G) PLATS:**
 - 1. SAM ENGINEERING & SURVEYING, REPRESENTING JACINTO CANO REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED CRYSTAL CANO SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1-LOT SUBDIVISION OUT OF A 0.76 ACRE TRACT OF LAND AND BEING A PART OR PORTION OF LOT 11, SING'S SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED AT THE 3100 BLOCK OF SOUTH GARDENIA STREET. SUB#160720**

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

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

Ordinance Nos. O-2019-43 and O-2019-44 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 12. 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 4:23 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 13. RECONVENE

The time being 5:48 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

REGULAR AGENDA - OPEN SESSION

ITEM 7. ORDINANCES AND RESOLUTIONS

- A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING AND APPROVING A TAX EXEMPT LOAN AGREEMENT WITH LONE STAR NATIONAL BANK FOR THE PHARR NATATORIUM PROJECT AND THE NOTE ASSOCIATED WITH SUCH LOAN; AND AUTHORIZING OTHER MATTERS RELATING THERETO (ADMINISTRATION)**

Alex Meade, City Manager, introduced the item. He requested to remove tax exempt and recommended approval of the loan agreement.

Comm. Carrillo **moved** to approve. Comm. Caballero seconded the motion and when put to a vote, it carried by a majority vote of (4) ayes and one (1) abstention. Mayor Hernandez abstained from voting.

Resolution No. R-2019-55 is filed with the City Clerk's Office.

- B) CONSIDERATION AND ACTION ON RESOLUTION EXECUTING AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE PHARR COMPREHENSIVE PEDESTRIAN SAFETY & WELLNESS PLAN, CSJ: 0921-02-389 (ENGINEERING)**

Alex Meade, City Manager, introduced the item. He briefly explained this was for the city project and recommended approval.

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

Resolution No. R-2019-56 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING /RE-APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) EX-OFFICIO MEMBER TO THE TIERRA DEL SOL GOLF CLUB ADVISORY BOARD (PARKS)

Alex Meade, City Manager, introduced the item and stated the terms of current members would expire and appointment of an ex-officio member was needed at this time. He stated all members had expressed interest in continuing serving and recommended approval.

Mayor Hernandez **moved** to reappoint Juan Willingham, George Gonzalez, Oscar Villagomez, Javier Martinez, and Mario Lizcano as regular members and Comm. Roberto Carrillo as ex-officio member. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2019-57 is filed with the City Clerk's Office.

D) 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 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)

Alex Meade, City Manager, introduced the item. He briefly explained the City recently changed the street name from Rancho Blanco Road to Javelina Drive and property was needed to install new signage. He further stated staff recommended approval.

Comm. Chavez **moved** to approve. Comm. Caballero seconded the motion and when put to a vote, it carried by a majority vote of (4) ayes and one (1) abstention. Comm. Carrillo abstained from voting.

Resolution No. R-2019-58 is filed with the City Clerk's Office.

ITEM 8. ADMINISTRATIVE

A) CONSIDERATION AND ACTION, IF ANY, AMENDING DESIGN-BUILD DOWNTOWN GATEWAY AND LIGHTING IMPROVEMENTS PROJECT CONTRACT WITH INTERNATIONAL CONSULTING ENGINEERS (ICE) FOR THE INSTALLATION OF VARIOUS CITY HALL AND GATEWAY MONUMENT SIGN LIGHTING AND CONTROLS SYSTEMS (PROJECT NO.1819-39-510-S026-001) (TABLED) (ENGINEERING)

Alex Meade, City Manager, introduced the item and stated item would remain tabled.

- B) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER NO. 1 AND ACCEPTANCE OF THE W. ZARAGOSA DR. AND S. SUGAR RD. CONCRETE PAVING IMPROVEMENTS PROJECT AS COMPLETE AND AUTHORIZATION TO RELEASE FINAL PAYMENT AND RELEASE OF RETAINAGE IN THE AMOUNT OF \$58,994.20 (PROJECT # 1819-86-510-C010-202) (ENGINEERING)**

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

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

- C) CONSIDERATION AND ACTION, IF ANY, ON ACCEPTANCE OF THE MOORE RD. 24" SANITARY SEWER IMPROVEMENTS (EMERGENCY REPAIRS) (PROJECT #1819-61-587-C003-001) AND RELEASE OF FINAL PAYMENT AND RETAINAGE IN THE AMOUNT OF \$49,942.20 (ENGINEERING)**

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

Comm. Chavez moved to table item. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

At this time, Alex Meade, City Manager, stated they would deviate from the agenda and go to item 9.A. There was no objection.

ITEM 9. PURCHASING

- A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO PURCHASE VARIOUS LIGHTING COMPONENTS FOR THE LIGHTING OF CITY HALL AND THE DOWNTOWN GATEWAY MONUMENT PROJECT, THROUGH A TIPS COOPERATIVE CONTRACT. (PROJECT NO. 1819-01-528-P024-001) (TABLED) (ENGINEERING)**

Alex Meade, City Manager, introduced the item and stated item would remain tabled.

- B) CONSIDERATION AND ACTION, IF ANY, ON ACQUISITION OF HIDALGO COUNTY IRRIGATION DISTRICT #2 EASEMENT (DEVELOPMENT SERVICES)**

Alex Meade, City Manager, introduced the item and stated the easement was located along W. Sioux Road and recommended approval.

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

ITEM 10. CONTRACTS/AGREEMENTS

- A) CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF AGREEMENT BETWEEN CITY OF PHARR AND PEACE & THORNTON PARTNERSHIP FOR PHARR EVENTS CENTER OVERFLOW PARKING (PROJECT #1819-65-510-IPQ011-001) (EVENTS CENTER)**

Alex Meade, City Manager, introduced the item and briefly explained this was the parking lot by the hotel and requested to extend the lease agreement on a month-to-month basis for a year.

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH HALFF ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CITY OF PHARR DRAINAGE MASTER PLAN (PROJECT #1920-01-528-S006-001) (ENGINEERING)

Alex Meade, City Manager, introduced the item. He briefly stated a master drainage plan was needed to assess the flood risks located within city limits and a prioritized Capital Improvement Project list would be included in the Master Drainage Plan. He further recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER AMEND THE CONTRACT WITH GARCIA INFRASTRUCTURE CONSULTANTS, LLC. FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES OF THE SANITARY SEWER UTILITY ADJUSTMENTS RELATED TO THE REGIONAL LINEAR PARK HIKE AND BIKE TRAIL, I-ROAD TUNNEL CROSSING CONFLICT (PROJECT #1718-01-510-S025-001) (ENGINEERING)

Alex Meade, City Manager, introduced the item and stated the project required an amendment of \$8,000. He further stated the revised contract amount was \$20,000 and recommended approval.

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

ITEM 11. LEGAL

D) CONSULTATION WITH LEGAL REGARDING CAUSE NO. C-4349-17-B, CITY OF PHARR V. SAENZ UTILITIES CONTRACTORS, ET. AL. (LEGAL)

Mayor Hernandez introduced the item and stated no action was needed on this item.

ITEM 8. ADMINISTRATIVE

D) CONSULTATION WITH THE BOARD OF COMMISSIONERS ON THE CITY'S ORGANIZATIONAL STRUCTURE (ADMINISTRATION)

Alex Meade, City Manager, introduced the item. He stated the City of Pharr was always looking for ways to improve its structure, whether it was by attending trainings or by identifying individuals within the City that will help strengthen the organizational flow within the City.

At this time, Mr. Meade announced two Assistant City Managers would be added to the City's organizational structure. He stated Hilda Pedraza, City Clerk and Anali Alanis, HR Director, would now be serving in a dual capacity – keeping their current roles as well as the Assistant City Manager position. He further explained both would be going through a six-month Executive Career Enhancement Practicum where they would rotate through the departments.

Mayor Hernandez stated the City of Pharr was growing and always looking for people who were energetic and self-driven. He further stated some people were true leaders and once they get the tools they need, they become very productive. Therefore, based on the recommendation from City Manager and Deputy City Manager, he voted in favor that both ladies be out in these positions. City Commissioners congratulated them and stated this was a great move for the City and for both of them.

ITEM 13. ADJOURNMENT

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Caballero seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:00 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 21st DAY OF OCTOBER 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: November 4, 2019