



**TAKE NOTICE THAT A REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, TEXAS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 5:06 PM ON
MONDAY, MAY 1, 2017**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2015-28. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

1. CALL TO ORDER:

A) Roll call and possible action on the excusing of any absent member of the governing body.

B) Pledge of Allegiance/Invocation.

2. PROCLAMATIONS:

A) Proclamation proclaiming Public Service Recognition Week. (HR)

B) Proclamation proclaiming Economic Development Week. (PEDC II)

C) Proclamation proclaiming 2017 National Police Week. (POLICE)

D) Proclamation proclaiming Lionsville Day in Pharr. (EVENTS CENTER)

3. CITY MANAGER'S REPORTS: *(City Manager's Administrative Reports and discussion, if any, with governing body. The City Manager may also assign a designated spokesperson for any particular listed topic)*

A) City Events of Interest. (ADMINISTRATION)

B) City Engineer's Report. (ENGINEERING)

4. PUBLIC COMMENTS/PUBLIC HEARINGS:

AGENDA REGULAR MEETING
May 1, 2017

A) PUBLIC COMMENTS: *(Ordinance No. O-2015-28) A registered speaker may speak on several items or topics of public concern; however, a speaker may not exceed three (3) minutes as a whole when addressing the board. A registered speaker may not donate time to another speaker. No more than five (5) registered persons may speak at a scheduled meeting. A sign-in form must be filled out prior to the meeting to allow the registered speaker to address the governing body.*

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES: *(Ordinance No. O-2015-28). A registered speaker during the public hearing may not exceed three (3) minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.*

5. CONSENT AGENDA: *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

A) Approval of Minutes for April 17, 2017 City Commission Regular Called Meeting. (ADMINISTRATION)

B) Consideration and action if any, on Ordinance amending Ordinance No. O-2003-04 (Telephone, Radio, Cellular, Television and/or other Telecommunications Towers and Antennas). **2nd Reading** (DEVELOPMENT SERVICES)

C) Consideration and action, if any, on request from PSJA School District for the use of the Tierra del Sol Banquet Room on Saturday, May 13, 2017 from 2:00 p.m. to 8:00 p.m. for their annual swim team banquet. (PARKS/PAL)

D) Consideration and action, if any, on request from PSJA ISD for use of the Boggus Ford Events Center on Wednesday June 7, 2017 for the purpose of hosting a youth motivational conference. (EVENTS CENTER)

E) Consideration and action, if any, on sponsorship for the 3rd Annual PSJA ECHS Bear Scholarship Classic Golf Tournament in the amount of \$1,000. (BRIDGE)

F) Consideration and action, if any, on sponsorship for the Rio Grande Valley Partnership Foundations 28th Annual Valley Proud Honors Banquet in the amount of \$1,000. (BRIDGE)

G) Consideration and action, if any, on Asociacion de Agentes Aduanales de Reynosa "Guayabera" Sponsorship. (BRIDGE)

H) Consideration and action, if any, on sponsorship for the Rio Grande Valley Literacy in the amount of \$1,000 for their 6th Annual Boots & Bling on Thursday, June 1, 2017. (ADMINISTRATION)

I) Consideration and action, if any, on UT-RGV proposal for Trade Dashboard and Annual Report for the Pharr International Bridge. (BRIDGE)

J) Consideration and action, if any, on engagement of Hutchinson, Shockey, Erley & Co. for underwriting services in connection with the issuance of \$26,645,000 Combination Tax & Revenue Refunding Bonds, Series 2017. (ADMINISTRATION)

K) Consideration and action, if any, on Deduct Change Order Number 1 and Final Reconciliation of Quantities for the Sugar Road at Eldora Road Traffic Signal. (ENGINEERING)

L) Consideration and action, if any, on Development Services Cases: (ADMINISTRATION)

1. All Square, Inc., represented by Mr. Ramiro Armendariz, d/b/a Jackie's, is requesting 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 Colonia Santa Barbara, S150' of Lots 5-10, Block 1, Pharr, Hidalgo County, Texas. The property's physical address is 819 West Ferguson.
CUP#120419

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance establishing requirements, administrative approval, routes for all 5k,10k, and Half Marathon events and other applicable activities. - **1st Reading** (PARKS/PAL)

B) Consideration and action, if any, on Ordinance amending Appendix "A", Article X. by adding Sect. 1.87.1 - "Rules of Procedure for Appeals of Municipal Apportionment of Infrastructure Costs". (ADMINISTRATION)

C) Consideration and action, if any, on Resolution appointing five (5) regular members to the South Pharr Outreach Library Board. (ADMINISTRATION)

D) Consideration and action, if any, on Resolution concerning AEP request for approval of a Distribution Cost Recovery Factor. (ADMINISTRATION)

7. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, ratifying Memorandum of Agreement for Social Work Field Education from University of Texas Rio Grande Valley. (POLICE)

B) Consideration and action, if any, on award of contract for Energy Consulting Services. (Bid No. 1617-01-510-0023) (ADMINISTRATION)

C) Consideration and action, if any, on award of contract for the Jones Box Park Landscape and Irrigation Improvements. (Bid No. 1617-01-528-0028) (ENGINEERING)

8. LEGAL:

A) Discussion and possible action on potential litigation. (HR)

B) Discussion and action, if any, on letter from CTL Capital concerning electrical substation. (ADMINISTRATION)

C) Discussion and action, if any, on potential litigation concerning Texas Resource Consultants, LLC. (ADMINISTRATION)

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.*

Pursuant to Section 551.071, the City may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on CTL Capital concerning electrical substation; Texas Resource Consultants, LLC pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the City may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

AGENDA REGULAR MEETING
May 1, 2017

Pursuant to Section 551.074, the City may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the City may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the City may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.087, the City may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

10. RECONVENE: *into Regular Session, and consider action, if necessary on any items(s) discussed in closed session.*

11. ADJOURNMENT:

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956/402-4100 ext. 1003/1007 or FAX 956/702-5313 or E-mail hilda.pedraza@pharr-tx.gov or imelda.barrera@pharr-tx.gov for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the City Commission of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at www.pharr-tx.gov. This Notice was posted on the 28th day of April, 2017 at 4:00 p.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

WITNESS MY HAND AND SEAL, this 28th day of April, 2017.

HILDA PEDRAZA, TRMC
CITY CLERK

AGENDA REGULAR MEETING
May 1, 2017

I certify that the attached notice and agenda of items to be considered by the City Commission was removed from the bulletin board of City Hall on the _____ day of _____, 20____ by,

Title: _____

WHEREAS, the City of Pharr is committed in supporting the women and men who work for our local government who tackle some of the most important challenges and opportunities facing our community while providing outstanding customer service; and

WHEREAS, these women and men not only provide public safety to our citizens but protection to our environment thru education and commitment to our children of future generations through interaction and recreation; and

WHEREAS, these women and men assist in educating and supporting our small businesses and struggling communities to strengthen our economy and livelihood; and

WHEREAS, the purpose of Public Service Week is to spotlight the efforts of all women and men who are engaged and committed in inspiring our citizens, through their ways of demonstrating “**Pride**” leadership traits ,**P**rofessionalism, **R**espect, **I**ntegrity, **D**iscipline and **E**thics on a daily basis, on and off the clock.

NOW THEREFORE, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, by the virtue of the authority vested in me and on behalf of the Commission do hereby proclaim May 7-13, 2017 as:

“Public Service Recognition Week”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 1st day of May, 2017.

CITY OF PHARR

Ambrosio “Amos” Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk

WHEREAS, the International Economic Development Council (IEDC) recognizes 2017 as the 91st anniversary of being a premier professional organization and has designated May 8-13, 2017 as Economic Development Week; and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, the City of Pharr recognizes it is a vital part of the region's success due to its commitment to a viable economic development program and strong partnership with other communities in South Texas; and

WHEREAS, the City of Pharr Economic Development Corporation works closely with local, state, federal, and international partners to help spur economic development, to foster growth, and to promote trade and commerce in Pharr; and

WHEREAS, the Pharr International Bridge is a key mechanism for economic development activities, supporting \$30 billion in trade with the world, is the leading port for produce crossings, and the only fully commercial international bridge in the region; and

WHEREAS, the City of Pharr continues to remain committed to supporting economic development activities and recognizes the importance of economic development in our community.

NOW THEREFORE, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, by the virtue of the authority vested in me and on behalf of the Commission do hereby proclaim the week of May 8, 2017 to May 13, 2017 as:

“Economic Development Week”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 1st day of May, 2017.

CITY OF PHARR

Ambrosio “Amos” Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk

WHEREAS, the Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15th falls as National Police week to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy; and

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Pharr Police Department. Some 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries. Since the first recorded death in 1791, over 19,000 law enforcement officers in the United States have made the ultimate sacrifice and have been killed in the line of duty; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officer Memorial in Washington, D.C. and 140 new names of fallen heroes are being added this spring; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 29th Annual Candlelight Vigil, on the evening of Saturday, May 13, 2017. The Candlelight Vigil is part of National Police Week, which takes place this year on May 15th – 21st; and

WHEREAS, May 15th is designated as Peace Officers Memorial Day in honor of all fallen officers and their families. The City of Pharr hereby formally designates and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

NOW THEREFORE, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, by the virtue of the authority vested in me and on behalf of the Commission do hereby proclaim the week of May 15th – 21st, 2017 as:

“National Police Week”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 1st day of May, 2017.

CITY OF PHARR

Ambrosio “Amos” Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk

WHEREAS, on Friday, April 21, 2017, IDEA Pharr held a learning experience to promote civic leadership, wherein they created a Minitropolis at the school, named “Lionsville”; and

WHEREAS, in a demonstration of democracy in action, students were involved in the electoral process and elected their own elected governing body, comprised of peer representatives; and

WHEREAS, in Lionsville, students were able to participate in the mock society by running and operating their own businesses in which fellow students were able to participate and contribute to the local economy, just as in a real-life scenario; and

WHEREAS, the City of Pharr Economic Development Corporation II held a ribbon cutting ceremony to mark the occasion, and Lionsville Mayor Azul Villarreal welcomed City of Pharr Mayor Ambrosio Hernandez, M.D., presenting him with the “Key to the City”; and

WHEREAS, this experience was a valuable lesson for students to live, learn and witness firsthand how each citizen, business owner, and elected official functions harmonically in a realistic society.

NOW THEREFORE, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, and Azul Villarreal Mayor of Lionsville, hereby recognize the students, staff and administration of IDEA Pharr, and the citizens of “Lionsville”, and hereby proclaim today, May 1, 2017 as

“Lionsville Day In Pharr ”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 1st day of May, 2017.

CITY OF LIONSVILLE

CITY OF PHARR

Azul Villarreal, Mayor

Ambrosio “Amos” Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 3.A.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: City Events of Interest.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 04/25/2017
Final Approval - 04/25/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 3.B.

DATE SUBMITTED: April 28, 2017

MEETING DATE: May 1, 2017

FROM: Omar Anzaldua, City Engineer

DEPARTMENT: Engineering

DIRECTOR:

Agenda Item: City Engineer's Report.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Omar Anzaldua

Created/Initiated - 04/28/2017

Omar Anzaldua

Approved - 04/28/2017

City Management Office

Final Approval - 04/28/2017

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Construction Phase

☐ **South Pharr Development and Research Center (Part A)**
Design Phase

- ☐ **South Pharr Exhibit Hall**
- ☐ **Proposed Traffic Signal Improvements at Kelly Ave & Eldora Rd**
- ☐ **Jones Box Park Parking Lot Improvements**
- ☐ **Jackson Road And Cage Boulevard Raised Medians Construction Project**
- ☐ **Various Park Designs-2016**
- ☐ **Hi-Line Road Improvements From Jackson Rd to Veterans Rd (I-Road)**
- ☐ **Anaya Road Improvements From US 281 (Cage Blvd) to Veterans Rd (I-Road)**
- ☐ **365 Tollway Utility Adjustments**
- ☐ **South Pharr Water Tower Rehabilitation**
- ☐ **Jones Box Park Landscape and Irrigation Improvements**

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

- ☐ **Owassa Road Improvements**
- ☐ **West Moore Rd Improvements**
- ☐ **Single Machine Repaving Project Year 2**
- ☐ **Downtown Street Lighting Improvement**
- ☐ **Eldora Elevated Storage Tank Improvements**
- ☐ **Waterline Transmission Improvements**
- ☐ **Lift Station 25 & 16-in Forcemain Improvements**
- ☐ **Wastewater Treatment Plant Clarifier No. 2 Rehabilitation**
- ☐ **Fire Station No. 3 Renovations**

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	Proposed Traffic Signal Improvements at Kelly Ave. & Eldora Rd.
Design Engineer:	Aldaña Engineering & Traffic Design, LLC
Description:	This existing intersection is presently un-signalized. The proposed traffic signal will include traffic signal poles and arms, traffic signal controller & cabinet, foundations, the use of VIVDS for vehicle detection, LED lenses for all vehicular and pedestrian signal heads, countdown type pedestrian signal indications, and any required access sidewalks that adhere ADA requirements.
Status:	Plans and Specifications are 100% complete. Staff anticipated going out for bids in May 2017.

Project Name:	Jackson Rd and Cage Blvd Raised Medians
Design Engineer:	R. Gutierrez Engineering Corp.
Description:	Construction of raised concrete medians, and pavement striping along Jackson Rd and Cage Blvd.
Status:	Plans and Specifications are 100% complete. Staff anticipated going out for bids in May 2017 with Bid Opening scheduled for May 25, 2017 and proposed award at June 5 th , 2017 Commission meeting

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	Hi-Line Road Improvements From Jackson to Veterans	
Project Design:	Various Park Design-2016	
Engineer:	S&B Infrastructure, Ltd.	
Developer:	Haff & Associates	
Description:	Approximately 2.3 miles of roadway improvements from Jackson Park to Veterans Pk.	
Status:	Various Park Improvements at the following Parks: • Allen & William Arnold Elementary City/School Park • Cesar Chavez Elementary City/School Park • Dr. William Long Elementary City/School Park • Bike Trail in Floodway • Ford Elementary City/School Park	
	• Nature Park • Splash Pad at Allen & William Arnold Elementary	
Status:	• Allen & William Arnold Park - 40% Design Complete • Allen & William Arnold Park Splash Pad – 50% Design Complete • Nature Park – 40% Design Complete • Cesar Chavez – 45% Design Complete • Dr. William Long – 40% Design Complete • Bike Trail – 30% Design Complete – Not much room for	

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

	this park due to agreement with PSJA to farm this land.	
Project Name:	Anaya Rd. Improvements From US 281 (Cage Blvd.) to Veterans Rd. (I-Road)	
Design Engineer:	S&B Infrastructure, Ltd.	
Description:	Approximately 1.03 miles of roadway improvements from US 281 (Cage Blvd.) to Veterans Rd. (I-Road)	
Status:	Scope & Fee have been finalized and is currently being processed for contract execution.	

Project Name:	365 Tollway Utility Adjustments
Design Engineer:	S&B Infrastructure, Ltd.
Description:	Various utility relocations along • Jackson Rd (24" Waterline), • US 281/Cage Blvd (18" Waterline), • I-Road (24" Steel Casing for future waterline) • Thomas Rd/I Road (12" Waterline)

City of Pharr Engineering
Capital Improvement Project Report

May 1, 2017

Status:	Plans are 60% Complete
Project Name:	South Pharr Water Tower Rehabilitation
Design Engineer:	Dunham Engineering, Inc.
Description:	The City of Pharr, Texas has a 750,000 gallon composite elevated storage tank that is to be rehabilitated and repainted
Status:	It is being advertised for Bids. Bid Opening is scheduled for May 4 th , 2017

Project Name:	Jones Box Park Landscape and Irrigations Improvements
Design Engineer:	Heffner Design Team, PLLC
Description:	Various landscape and irrigation improvements at Jones Box Park

City of Pharr Engineering
Capital Improvement Project Report

May 1, 2017

Status:	Bids were received on April 20, 2017. Low Bidder was Southern Landscape for a total of \$79,050. It is to be presented for award at the May 1, 2017 City Commission Meeting

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	South Pharr Development and Research Center Part A		
Architect	The Warren Group, Inc.		
Contractor	Holchemont		
Contract Amount	\$2,433,000	Contract Time	240 days
Notice to Proceed	April 9, 2017	Contract Time Used:	7%

Description: Construction of South Pharr Development and Research Center consisting of approximately 15,398 s.f. masonry building.

Status: Construction has begun

Pictures:



City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	South Pharr Exhibit Hall		
Architect	The Warren Group, Inc.		
Contractor	Holchemont		
Contract Amount	\$1,209,000	Contract Time	240 days
Notice to Proceed	April 9, 2017	Contract Time Used:	7%
Description: South Pharr Exhibit Hall will consist of a new one story masonry building approximately 9,000 s.f. in size			
Status: Construction has begun			
Pictures: 			

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name: Overpass Road Park Construction and Improvements			
Design Engineer: Teslen & Hunt			
Contractor: McWhirley			
Contract Amount: \$5,206,418.37		Contract Time: 181 days	
Notice to Proceed: January 19, 2017		Contract Time Used: 81%	
Description: Construction of a new parking lot and various, walking trail resurfacing, Basketball courts and soccer fields.			
Status: Construction is ongoing			
Pictures: 			

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	West Moore Rd Improvements		
Amount		Contract Time	
Design	Melden & Hunt	Used:	8%
Notice to Proceed	March 23, 2017		
Description:	Downgrading of Corral to 2 lanes between Jackson Rd and US 281 Frontage		
Status:	Construction is ongoing		
Pictures:	 		

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Contract Amount	\$332,153	Contract Time	30 days
Notice to Proceed	March 29, 2017	Contract Time Used:	93%

Description: Reconstruction of West Moore Rd and the widening of Moore Rd at Jackson Rd. and Cage Blvd Intersections

Status: Construction is ongoing. Paving activity to commence last week of April.

Pictures:



Project Name:	Single Machine Repaving Project Year 2
Design Engineer	City of Pharr In-House Engineer (Pilar Rodriguez)
Contractor	Cutler

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	Downtown Street Lighting Improvement		
Contract Amount:	\$2,245,618.51	Contract Time:	180 days
Design Engineer:	SDF Engineering	Contract Time Used:	52%
Notice to Proceed:	04/28/2017	Contract Time Remaining:	120
Contractor:	DD Enterprises, LLC	Contract Time Remaining:	120
Description:	Contract for installation of street lighting on Central and South Pharr		

Status: Original Construction Contract is complete. Staff is proposing to change order additional Year 2 streets with remaining Year 2 budget funding.

Pictures:



City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	Eldora Elevated Storage Tank Improvements		
Amount		Contract Time	
Design		Used:	
Notice to Proceed	S&GE, LLC March 23, 2017		
Description: Improving lighting along N. Cage Blvd from Polk Ave. to Business 83.			
Status: Project is 83% complete. All light poles are in place including fixtures. Awaiting AEP to install power poles to begin testing of the lights.			
Pictures:			
			

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	Waterline Transmission Improvements		
Contract Amount:	\$2,735,000	Contract Time:	365
Design Engineer:	S&GE, LLC	Contract Time Used:	1%
Notice to Proceed:	April 21, 2017		

Description: Build a new 1 Million Gallon Composite Elevated Storage Tank

Status: Construction has recently commenced

Pictures:



City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	Lift Station 25 & 16-in Forcemain Improvements		
Contractor	Jimmy Closner & Sons Construction Co.		
Contract Amount	\$6,591,196	Contract Time	540 days
Notice to Proceed	March 15, 2016	Contract Time Used:	75%

Description: Construction of a 20-in and 16-in water transmission main from the Water Treatment Plant (WTP) Booster Pump Station to the Expressway and JBJ Elevated Storage Tank.

Status:
Project is 95% Complete

Pictures:



City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	Wastewater Treatment Plant Clarifier No. 2 Rehabilitation		
Design Engineer:	S&GE, LLC		
Contractor:	Saenz Brothers Construction, LLC		
Contract Amount:	\$2,715,364	Contract Time:	360
Notice to Proceed:	\$532,725.41	Contract Time Used:	270 days
Description:	August 2, 2016	Contract Time Used:	74%
	January 3, 2017	Contract Time Used:	42%
Description: New Lift Station and 16-in Forcemain Improvements			
Description: Install a new Clarifier at the Wastewater Treatment Plant Clarifier No. 2			
Status: Construction is ongoing			
Status: Contractor has been verifying all required equipment dimensions prior to ordering equipment.			
Pictures:			
Picture # 			

City of Pharr Engineering

Capital Improvement Project Report

May 1, 2017

Project Name:	Fire Station No. 3 Renovations		
Architect	Sam Garcia Architect		
Contractor	Five Star Construction		
Contract Amount	\$423,370	Contract Time	120 days
Notice to Proceed	January 3, 2017	Contract Time Used:	100%
Description: Remodel of 2,820 s.f. Fire Station No. 3 and 1,318 s.f. Police Sub Station			
Status: Construction is 100 % complete.			
Pictures:			
			



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 4.A.

DATE SUBMITTED: April 21, 2017

MEETING DATE: May 1, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: System Administrator

DIRECTOR:

Agenda Item: PUBLIC COMMENTS

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 04/21/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 4.B.

DATE SUBMITTED: April 21, 2017

MEETING DATE: May 1, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: System Administrator

DIRECTOR:

Agenda Item: PUBLIC HEARING ON DEVELOPMENT SERVICES CASES
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Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 04/21/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.A.

DATE SUBMITTED: April 24, 2017

MEETING DATE: May 1, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Approval of Minutes for April 17, 2017 City Commission Regular Called Meeting.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Minutes for the April 17, 2017 Regular City Commission Meeting.

Financial Consideration: N/A

Staff Recommendation: Approve as submitted.

Alternatives: N/A

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 04/24/2017
Final Approval - 04/24/2017

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, APRIL 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, April 17, 2017 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Roberto Carrillo
Mayor Pro-Tem Oscar Elizondo, Jr.
Comm. Edmund Maldonado
Comm. Ricardo Medina

BOARD OF COMMISSIONERS ABSENT: Comm. Mario Bracamontes

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 Dir.
Michael Gonzalez, Finance Department
Anali Cantu, HR Director
Rodolfo Martinez, Municipal Court Judge
Javier Gonzalez, Asst. Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Development Services Dir.
Rene Saenz, Asst. Public Works Director
David Garza, Public Utilities Dir.
Sergio Alains, Parks & Rec. Dir.
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jason Arms, I.T. Director
Fred Brouwen, Bridge Operations Dir.

CITY ATTORNEY Patricia Rigney, Attorney

ITEM 1 CALL TO ORDER

Mayor Hernandez called the meeting to order at 5:02 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 member. Comm. Carrillo

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 David Garza said the invocation.

ITEM 2 PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Juan G. Guerra, City Manager, introduced the item and called upon Pharr Community Theater. No one was present.

Kenneth C. Fletcher spoke about the home occupation by former City Attorney Miguel Angel Pruneda back in 2013 and voiced his concern with taxpayer monies being spend on his services. He also spoke about former PEDC individual's negotiations with Costco and stated activities were carried over to this date. Mr. Fletcher voiced his concern with public health issues stating individuals that obtain alcohol/health permits were not wearing their nametags. He stated they should comply with city ordinances.

Juan G. Guerra, City Manager, called upon Crisanto Garcia. Mr. Garcia was not present.

Frankie Herrera voiced his concern with no texting while driving and stated in June he was hit by a vehicle and the person was clearly not paying attention to the road. As a result, he was in ICU for five days with fractured bones and ribs. Mr. Herrera further mentioned he had been protesting at the intersection of Cage and Old Business 83 and in front of City Hall. He requested the Commission to pass an ordinance.

David Magallan extended an invitation to everyone to attend the No Puedo Callar Christian concert on May 5, 2017 at the Boggus Ford Events Center.

At this time, Mayor Hernandez informed the public that Ordinance No. O-2012-32 has been in place since August 21, 2012 in regards to no texting and driving. He stated public safety is the City's number one concern and fire and police need to make sure everything is followed accordingly.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

Juan G. Guerra, City Manager, introduced the item. No one signed-up to speak therefore, the public hearing was closed.

ITEM 3 CITY MANAGER'S REPORTS

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

Juan G. Guerra, City Manager, introduced the tax collection report and stated both current and delinquent taxes were up. He further stated the city was doing fine.

B) SUBMISSION OF APRIL 2017 SALES TAX COLLECTION REPORT (FINANCE)

Juan G. Guerra, City Manager, introduced the sales tax collection report and stated the entire region was experiencing a negative sales tax collection rate for the month of April. He explained last year the city received a one-time payment but outside of that, sales tax were up by 1.55%.

C) CONSULTANTS QUARTERLY REPORT (ADMINISTRATION)

Juan G. Guerra, City Manager, introduced the consultants quarterly report and stated Hollis Rutledge and Ezequiel Ordonez were present for any questions. No questions were asked.

D) CITY EVENTS OF INTEREST (ADMINISTRATION)

Juan G. Guerra, City Manager introduced the City Events of Interest.

Mr. Guerra reported the South Texas Training Center would be holding their 20th Anniversary Ribbon Cutting on April 20, 2017 at 10:30 a.m. at 213 E. Ferguson, in Pharr. He stated this vocational school offers 1-2 year certifications in the medical field. He also announced PSJA PTI House Ribbon Cutting would be held on April 21, 2017 at 9:30 a.m. at 325 W. Jones, in Pharr and stated this home was purchased and remodeled by PSJA to assist special needs students in helping them adapt to a real life environment on their own. Mr. Guerra further reported a ribbon cutting for IDEA Pharr would take place on April 21, 2017 at 9:00 a.m. at 600 E. Las Milpas Road, in Pharr. He stated the event would consist of a city, Lionsville, within the school where kids mirror a real life city. Their city will include businesses such as Home Depot, and a police department. The children will participate as business owners or business managers and citizens.

Juan G. Guerra, City Manager, further reported a ribbon cutting for Ramirez Elementary would take place on April 27, 2017 at 10:00 a.m. at 1920 N. Hibiscus, in Pharr. He also reported a Get Financially Fit – SBA Financial Literacy Training would take place on April 27, 2017 at 10:00 a.m. at the Pharr Memorial Library. He stated this is an informational seminar for businesses to learn how to understand credit, improve their budget and reach financial goals. Mr. Guerra also reported Palm Valley Funeral Home would be holding a ribbon cutting on May 2, 2017 at 4:00 p.m. at 4607 N. Sugar Road, in Pharr.

Juan G. Guerra, City Manager, reminded everyone the National Day of Prayer would be on May 4, 2017 and invited the community to come together and pray as one for one hour. The event would begin at 12 noon at City Hall parking lot and the Walk of Faith would begin at 6:00 p.m. at Ashley Furniture in continuation with the celebration of National Day of Prayer.

Juan G. Guerra, City Manager, announced the Pharr Memorial Library would be hosting Dia de los Libros/Ninos on April 27, 2017 from 6:00 p.m. to 8:00 p.m. and in celebration of Dia de los Ninos. Mr. Guerra also reported registrations for swimming lessons would begin on Saturday, April 22, 2017 and at the Parks and Recreation website and at their offices located at 413 E. Clark.

Juan G. Guerra, City Manager, invited the community to attend the ARISE Youth Group Earth Day celebration on Saturday, April 22, 2017 from 9:00 a.m. to 12:00 p.m. at the Universal Estates Park located at 300 E. Comet Drive. Mr. Guerra reported the Bridge Department would be hosting a BridgeConnect Trade Session on April 26 and 27, 2017 from 9:00 a.m. to 11:00 a.m. at Tierra Del Sol Golf Course. He stated this seminar is an ACE Outreach Seminar with topics such as the latest on ACE filing and tips from experience.

Juan G. Guerra, City Manager, invited everyone to attend the Community Development Block Grant Day on Wednesday, April 19, 2017 from 10:00 a.m. to 2:00 p.m. at City Hall lobby area. Mr. Guerra further reported on upcoming events at the Boggus Ford Events Center.

At this time, Juan G. Guerra, City Manager, recognized firefighter Jose Perez as this year's Firefighter of the Year. He stated the Rio Grande Valley Firefighters and Fire Marshal's Association consisting of 37 fire departments from Zapata to Cameron Counties recognized Mr. Perez as Firefighter of the Year at their Quarterly Meeting on April 9, 2017. He stated the criteria considered for the award was attitude, work knowledge, creativity, ability and innovation, department involvement, community involvement, and heroism/bravery. He stated Firefighter Perez has been involved in our department for eight years and has demonstrated a complete knowledge of his

job duties and a great team member on his crews while responding to calls. He has made our physical fitness training fun by implementing boxing exercises into our program which the firefighters have enjoyed and has volunteered his time with the Pharr Police Athletic League as a boxing coach for the youth of Pharr. Mr. Perez has helped a fire victim bring their home into compliance after a major fire damaged their electrical wiring at no cost to the family. Firefighter Perez thanked the Commission and staff for the recognition and stated he was very proud of working for our city.

At this time, Comm. Elizondo recognized David Garza, Public Utilities Director, for his years of service and wished him good luck in his future endeavors.

ITEM 4 CONSENT AGENDA

A) APPROVAL OF MINUTES FOR APRIL 3, 2017 CITY COMMISSION REGULAR CALLED MEETING (ADMINISTRATION)

B) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA EARLY COLLEGE HIGH SCHOOL FOR THE USE OF THE TIERRA DEL SOL GOLF COURSE AND WAIVE GREEN FEES FOR THEIR BEAR SCHOLARSHIP CLASSIC GOLF TOURNAMENT ON MAY 13, 2017 (PARKS/PAL)

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR PROPOSED TRAFFIC SIGNAL MODIFICATIONS: MOORE RD. AT CAGE BLVD. AND JACKSON RD. (ENGINEERING)

D) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:

1. JOHN M. GARCIA, REPRESENTING AEP TEXAS, INC REQUESTED A LIFE-OF-THE-USE SPECIAL USE PERMIT TO ALLOW A STATIC VAR COMPENSATOR (SVC) STATION IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A TRACT OF LAND CONTAINING 5.68 ACRES, MORE OR LESS, BEING A PART OR PORTION OF LOT 93, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5050 NORTH CAGE BOULEVARD. SUP#170317

2. RAUL FONG, D/B/A JUNCTION CAFE, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A BUSINESS DISTRICT

(C-2). THE PROPERTY IS LEGALLY DESCRIBED AS LOT 1 AND THE S7' OF LOT 2, BLOCK 1, J.T. DOSTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 11 SOUTH CAGE BOULEVARD. CUP#911291

3. SERGIO R. GARCIA, D/B/A ARAGON MUSIC HALL, 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 LOTS 1, 2 & 4, REPLAT OF LOT 1, MEXICAN FIESTA SUBDIVISION UNIT NO. 1 AND LOT 1, MEXICAN FIESTA SUBDIVISION UNIT NO. 2 PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1300 WEST NOLANA. CUP#100313

4. SEBASTIAN A. SOBCZAK, D/B/A LA OFRENDA, 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 LIMITED INDUSTRIAL DISTRICT (L-I).THE PROPERTY IS LEGALLY DESCRIBED AS LOT A, RE-PLAT OF LOTS 9 & 10, STEEL HORSE INDUSTRIAL PARK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5704 NORTH GUMWOOD. CUP#130109

5. FUERA DE LUGAR, LLC, D/B/A FUERA DE LUGAR 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 .071 OF AN ACRE TRACT OF LAND, MORE OR LESS, OUT OF PLAZA SPORTS CENTER PHASE 1 LOT 1 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1101 EAST NOLANA LOOP. CUP#150101

PLATS:

6. R. GUTIERREZ ENGINEERING CORPORATION, REPRESENTING CRUZ CORTEZ AND ENRIQUETA CORTEZ, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED CORTEZ SUBDIVISION.THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.15 ACRE TRACT OF LAND OUT OF LOT 125, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 300 BLOCK OF EAST ELDORA ROAD. SUB#151126

7. MELDEN & HUNT INC., REPRESENTING TOMAS CORONA, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED DELTA SUBDIVISION.THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RE-SUBDIVISION OF 3.688 ACRES OUT OF LOT 166, KELLY-PHARR SUBDIVISION,

**PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE
600 BLOCK OF EAST IH-2. SUB#170205**

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

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

REGULAR AGENDA - OPEN SESSION

ITEM 5 ORDINANCES AND RESOLUTIONS:

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING O-2003-04 (TELEPHONE, RADIO, CELLULAR, TELEVISION AND/OR OTHER TELECOMMUNICATIONS TOWERS AND ANTENNAS) 1ST READING (DEVELOPMENT SERVICES)

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING APPLICATION SUBMISSION AND COMMITMENT OF LOCAL MATCH FOR THE "PHARR PEDESTRIAN CONNECTIONS 2017" TO THE HIDALGO COUNTY METROPOLITAN PLANNING ORGANIZATION (HCMPO) FOR FUNDING ASSISTANCE MADE AVAILABLE THROUGH THE FEDERAL TRANSIT ADMINISTRATION'S (FTA) SECTION 5310 PROGRAM (ENGINEERING)

Juan G. Guerra, City Manager, introduced the item and briefly stated approximately \$511,000 in federal funding was available for the project and the local match commitment is \$102,000. He further recommended approval.

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

Resolution No. R-2017-25 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING ACCEPTANCE OF THE HIDALGO COUNTY METROPOLITAN PLANNING ORGANIZATION'S FISCAL YEAR 2017-2018 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) AWARD FOR THE "PHARR

**COMPREHENSIVE PEDESTRIAN SAFETY AND WELLNESS PLAN" AND
AGREEMENT TO LOCAL MATCH (ENGINEERING)**

Juan G. Guerra, City Manager, introduced the item and briefly stated the project was awarded \$134,000 and the city will provide a local match of \$120,000. He further recommended approval.

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

Resolution No. R-2017-26 is filed with the City Clerk's Office.

**D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION
AUTHORIZING ACCEPTANCE OF THE HIDALGO COUNTY
METROPOLITAN PLANNING ORGANIZATION'S FISCAL YEAR 2017-2018
TRANSPORTATION ALTERNATIVES PROGRAM (TAP) AWARD FOR THE
"PSJA TRI-CITY PEDESTRIAN SAFETY IMPROVEMENTS PROJECT"
AND AGREEMENT TO LOCAL MATCH (ENGINEERING)**

Juan G. Guerra, City Manager, introduced the item and briefly stated the project was awarded \$1,577,340 through the Transportation Alternatives Program and the city local match is \$352,200. He further recommended approval.

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

Resolution No. R-2017-27 is filed with the City Clerk's Office.

At this time, Juan G. Guerra, City Manager, stated they would skip item 5E and go to item 5F. There was no objection.

**E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION FOR THE
VICTIM COORDINATOR AND LIAISON GRANT (POLICE)**

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

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

Resolution No. R-2017-29 is filed with the City Clerk's Office.

ITEM 6 ADMINISTRATIVE:

**A) CONSIDERATION AND ACTION, IF ANY, AWARDED BID FOR THE
PURCHASE & DELIVERY OF CONCRETE MIX FOR PUBLIC WORKS**

**ANNUAL USE FY 2016-2017 BID NO. 1617-01-528-0029 (TABLED)
(ENGINEERING)**

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

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

Juan G. Guerra, City Manager, stated staff recommended bid be awarded to L&R Ready Mix, LLC.

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

ITEM 7 PURCHASING:

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY OF PHARR POLICE DEPARTMENT TO PURCHASE TWO (2) SKYCOPTERS FROM SKYCOPTER INC. (POLICE)

Juan G. Guerra, City Manager, introduced the item and stated funds will be reimbursed by Stonegarden grant. He further recommended approval.

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

ITEM 8 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON RENEWAL OF CONTRACT WITH WHOLESALE CHEMICAL COMPANY FOR POLYMER FOR THE WATER AND WASTEWATER TREATMENT PLANT (PUBLIC UTILITIES)

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON CO-SPONSORSHIP OF THE INTERNATIONAL GAMING EXPO 2017 AND FOR THE USE OF THE BOGGUS FORD EVENTS CENTER ON JULY 28, 29 AND 30TH, 2017 (INNOVATION & TECHNOLOGY)

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

Comm. Medina **moved** to approve as recommended. Comm. Guajardo 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 into closed session. There was no objection.

ITEM 10 **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**

The time being 5:32 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 11 RECONVENE:

The time being 5:57 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 5 ORDINANCES AND RESOLUTIONS:

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION TO ACQUIRE PROPERTY FOR PUBLIC USE (DEVELOPMENT SERVICES)

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

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

Resolution No. R-2017-28 is filed with the City Clerk's Office.

ITEM 8 CONTRACTS/AGREEMENTS:

C) CONSIDERATION AND ACTION, IF ANY, AND UPDATE ON PROJECT CHILI-DIP (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. Guajardo seconded the motion and when put to a vote, it carried unanimously.

ITEM 9 LEGAL:

**A) CONSULTATION WITH LEGAL CONCERNING DAHLIA STREET
PROJECT (ADMINISTRATION)**

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

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

**B) ATTORNEY UPDATE ON TML-IRP CLAIM NO. 1200193624; LAURA LEE
RAMIREZ VS. CITY OF PHARR, ET. AL. (ADMINISTRATION)**

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

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

ITEM 12 ADJOURNMENT:

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:58 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

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

ON THIS THE 17th DAY OF APRIL 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)

MINUTES: REGULAR CALLED MEETING
APRIL 17, 2017

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:



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.B.

DATE SUBMITTED: April 26, 2017

MEETING DATE: May 1, 2017

FROM: Alexandra Esparza, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Consideration and action if any, on Ordinance amending Ordinance No. O-2003-04 (Telephone, Radio, Cellular, Television and/or other Telecommunications Towers and Antennas). ***2nd Reading***

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Consideration and action if any, on Ordinance amending Ordinance No. O-2003-04 (Telephone, Radio, Cellular, Television and/or other Telecommunications Towers and Antennas).

Financial Consideration: N/A

Staff Recommendation: Development Services recommends approval to amend O-2003-04 (Telephone, Radio, Cellular, Television and/or other Telecommunications Towers and Antennas).

Alternatives: N/A

ROUTING:

Alexandra Esparza

Melanie Cano

Patricia Rigney

City Management Office

Created/Initiated - 04/26/2017

Approved - 04/26/2017

Approved - 04/26/2017

Final Approval - 04/26/2017

ORDINANCE NO. 2017-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PHARR, APPENDIX A, ZONING, ARTICLE III, CONDITIONAL USE PERMITS, SECTION 1.49 TELEPHONE, RADIO, CELLULAR, TELEVISION AND/OR OTHER TELECOMMUNICATION TOWERS AND ANTENNAS; ADDING A NEW SECTION ESTABLISHING DEVELOPMENT REGULATIONS FOR ELIGIBLE FACILITIES REQUEST (SECTION 6409) TO CONFORM TO FEDERAL LAW AND REGULATIONS; ADDING ELIGIBLE FACILITIES REQUEST (SECTION 6409) DEFINITIONS AND PROCEDURES, ESTABLISHING AN APPLICATION PROCESS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF.

WHEREAS, the Federal Communications Commission issued the Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, Report and Order, 29 FCC Rcd 12865 (2014) ("2014 Infrastructure Order");

WHEREAS, the 2014 Infrastructure Order rules are effective April 8, 2015, except certain portions of Section 6409 (a) requiring Office of Management and Budget ("OMB") approval before they are effective; and

WHEREAS, the City of Pharr will comply with the 2014 Infrastructure Order to the extent the FCC's 2014 Infrastructure Order preempts existing City procedures and to the extent the 2014 Infrastructure Order is effective as federal law;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:

SECTION 1: The Code of Ordinances of the City of Pharr, Texas is hereby amended at Appendix A, Zoning, Article III, Sec.1.49 B. by adding the following definitions:

Base station. As defined in Section 1.49.1 Eligible facilities request (Section 6409) Definitions, except for new base stations that are not eligible for Section 6409, need not be existing at the time of the application.

Collocation. As defined in Section 1.49.1 - Eligible facilities request (Section 6409) Definitions, above, except for new towers and base station that are not eligible for Section 6409, need not be existing at the time of application.

Eligible facilities request. As defined in Section 1.49.1 - Eligible facilities request (Section 609) Definitions, above.

Eligible support structure. As defined in Section 1.49.1 - Eligible facilities request (Section 6409) Definitions, above.

Existing. As defined in Section 1.49.1 - Eligible facilities request (Section 6409) Definitions, above.

Personal wireless service. As defined in 47 U.S.C. §332(c)(7).¹

Personal wireless service facilities. As defined in 47 U.S.C. §332(c)(7).²

Site. As defined in Section 1.49.1 - Eligible facilities request (Section 6409) Definitions, above.

Substantial Change. As defined in Section 1.49.1 - Eligible facilities request (Section 6409) Definitions, above.

Tower. As defined in Section 1.49.1 - Eligible facilities request (Section 6409) Definitions, above, except for new towers that are not eligible for Section 6409, they need not be existing at the time of the application.

Transmission equipment. As defined in Section 1.49.1 - Eligible facilities request (Section 6409) Definitions, above.

SECTION 2: The Code of Ordinances of the City of Pharr, Texas is hereby amended at Appendix A, Zoning, Article III, Sec.1.49 C. 6 shall now read as follows:

6. Fencing and Landscaping. If an additional tower or antenna is co-located upon a preexisting tower or site after the adoption of this section, then fencing and landscaping requirements shall be met as part of the permitting process. Alternative landscaping requirements will be considered only after all design alternatives have been exhausted, evaluated and reasonably rejected by Development Services director or designee.

¹ 47 U.S.C. § 332(c)(7)(C) Definitions. For purposes of this paragraph—(i) the term "personal wireless services" means commercial mobile services [cellular service], unlicensed wireless services, and common carrier wireless exchange access services..."; 47 U.S.C. § 332(d)(1) the term "commercial mobile service" means any mobile service (as defined in section 153 of this title) that is provided for profit and makes interconnected service available (A) to the public or (B) to such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by regulation by the Commission;..."

² 47 U.S.C. § 332(c)(7)(C) Definitions For purposes of this paragraph... (ii) the term "personal wireless service facilities" means facilities for the provision of personal wireless services..."

In addition, Appendix A, Zoning, Article III, Sec.1.49 C is amended by adding 7, to read as follows:

7. Notwithstanding the above conditions, to the extent an applicant is fully qualified as an eligible facilities request under Section 6409, in the event of a conflict between the above conditions in this subsection and those criteria and conditions in section 1.49 – K, and the 2014 Infrastructure Order, then section 1.49 – K., and the 2014 Infrastructure Order control, subject to the city reservation of rights, as set forth in the preface to section 1.49. – K.

SECTION 3 – The Code of Ordinances of the City of Pharr, Texas is hereby amended at Appendix A, Zoning, Article III, Sec.1.49 to add SEC. 1.49 - K (“Eligible Facilities Request”) to read as follows:

Sec. 1.49 – K: ELIGIBLE FACILITIES REQUEST

Sec. 1.49.1 DEFINITIONS:

These definitions and related Section 6409 procedures only apply to the city to the extent the FCC's Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, Report and Order, 29 FCC Rcd 12865 (2014), ("2014 Infrastructure Order") preempts existing city procedures and to the extent the 2014 Infrastructure Order is effective as federal law

The city expressly reserves its rights to revise or repeal any or all of these definitions and related Section 6409 procedures to the extent the 2014 Infrastructure Order is interpreted, modified, revised or enjoined on any appeal or reconsideration in a manner inconsistent with the definitions in or procedure in this section.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Approval authority” is the public official, or designee, authorized to administratively issue project permit approvals.

“Applicant” shall mean and refer to the person and such person’s successor in interest owning and/or operating the transmission equipment proposed in an eligible facilities modification application to be collocated, removed or replaced.

“Authorized person” is the person, employees, agents, consultants, and contractors, authorized in writing by applicant to complete and submit an eligible facilities modification application on behalf of applicant and who is authorized to receive any notices on behalf of applicant of any action taken by the City regarding the application.

“Base station” shall mean and refer to the structure or equipment at a fixed location that

enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower. Base station includes, without limitation:

- a. Equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- b. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems ("DAS") and small-cell networks).
- c. Any structure other than a tower that, at the time the relevant application is filed with the city, supports or houses equipment described in paragraphs (a) – (c), that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.
- d. The term does not include any structure that, at the time the relevant application is filed with the city, does not support or house equipment described in paragraphs (a) – (b) of this section.

“City” shall mean and refer to the City of Pharr.

“City Code” shall mean and refer to the City Code of Ordinances.

“Collocation” shall mean and refer to the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

“Deemed approved” shall mean and refer to an eligible facilities modification application that has been deemed approved upon the City’s failure to act, and has become effective, as provided pursuant the FCC Eligible Facilities Request Rules.

“Eligible facilities request application” or **“application”** shall, unless the context clearly requires otherwise, mean and refer to a written document submitted to the City pursuant to this chapter for review and approval of a proposed facilities modification.

“Eligible facilities request” any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

- a. Collocation of new transmission equipment;
- b. Removal of transmission equipment; or

c. Replacement of transmission equipment.

“Eligible support structure” shall mean and refer to any existing tower or base station, as defined in this chapter subsection, provided that it is in existence at the time the eligible facilities request application is filed with the City under this section.

“Existing” shall for purpose of this chapter and as applied to a tower or base station, mean and refer to a constructed tower or base station that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, provided that a tower that has not been reviewed and reviewed because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

“Section 6409(a)” means Section 6409 (a) of the Middle Class Tax Relief and Job Creation Act of 2012 ,Public Law 112-96; 126 Stat 156, codified as 47 U.S.C. § 1455 (a).

“Site” for towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

“Substantial change” a modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- a. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than ten (10) percent or by the height of one (1) additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than ten (10) percent or more than ten (10) feet, whichever is greater; ³
- b. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty (20) feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet;
- c. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment

³ Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings’ rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act. 47 CFF § 1.40001 (b) (7)(i)(A).

cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten (10) percent larger in height or overall volume than any other ground cabinets associated with the structure;

- d. It entails any excavation or deployment outside the current site;
- e. It would defeat the concealment elements of the eligible support structure; or
- f. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified in subsections (a—f) above. ⁴

“Support Structure(s)” a structure designed to support Telecommunications Facilities including but not limited to, Monopoles, Towers, and other freestanding self-supporting structures.

“Telecommunication facility” any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information including but not limited to, cellular telephone service, personal communications service (PCS), and paging service. A Telecommunication Facility can consist of one or more Antennas and Accessory Equipment or one base station.

“Tower” any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

“Transmission equipment” equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

Sec. 1.49.2 – PURPOSE AND INTENT

The purpose and intent of this amendment is to implement § 6409 of the “Middle Class Tax Relief and Job Creation Act of 2012” (the “Spectrum Act”) as interpreted by the Federal Communications Commission’s (“FCC” or “Commission”) Acceleration of Broadband Deployment Report & Order, which requires state or local government to

⁴ See 2014 Infrastructure Order ¶ 200. This section identifies the limited number of prior conditions site approval that may not be used to determine whether a modification qualifies as a substantial change.

approve any eligible facilities request for a modification of an existing tower or base station that does not result in a substantial change to the physical dimensions of such tower or base station.

Sec. 1.49.3 APPLICABILITY

This Chapter applies to all collocations or modifications to an existing wireless tower or base station submitted with a written request for approval pursuant to Section 6409 (a).

Sec. 1.49.4 ELIGIBLE FACILITIES REQUEST (SECTION 6409) APPLICATION REVIEW

(1) Application. The city shall prepare and make publicly available an application form which shall be limited to the information necessary for the city to consider whether an application is a qualified eligible facilities request. The application may not require the applicant to demonstrate a need or business case for the proposed modification.

(2) Type of review. Upon receipt of self-described application for an eligible facilities request, the Department of Development Services shall review such application to determine whether the application qualifies as a Section 6409 eligible facility request. If the request is deemed as an eligible facility request, collocations and minor modifications shall be permitted after administrative review and administrative approval, in accordance with the standards set forth in this ordinance.

(3) Timeframe for review. Within 60 days of the date on which an applicant submits an application seeking approval, the city shall approve the application unless it determines that the application is not a qualified Section 6409 eligible facilities request.

(4) Tolling of the timeframe for review. The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement by the city and the applicant, or in cases where the city determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.

- a. To toll the timeframe for incompleteness, the city must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.
- b. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the city's notice of incompleteness.
- c. Following a supplemental submission, the city will notify the applicant within ten days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in subsection (4) b of this section.

Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

(5) Failure to act. In the event the city fails to approve or deny a request seeking approval of an eligible facilities request within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the city in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.⁵

(6) Remedies. Applicants and the city may bring claims related to Section 6409(a) to any court of competent jurisdiction.

(7) Interaction with Section 332(c)(7).⁶ If the city determines that the applicant's request is not a Section 6409 eligible facilities request, the presumptively reasonable timeframe under Section 332(c)(7), as prescribed by the FCC's Shot Clock order, as interpreted by the 2014 Infrastructure Order, will begin to run from the issuance of the city's decision that the application is not an eligible facilities request. To the extent such information is necessary, as determined by the city, the city may request additional information from the applicant to evaluate the application under Section 332(c)(7), pursuant to the limitations applicable to other Section 332(c)(7) reviews.

Sec. 1.49.5 APPLICATION FOR A PERSONAL WIRELESS SERVICE FACILITY

The applicant for a personal wireless service facilities site shall complete the application, and any addendum to the application, provided by the City of Pharr's Development Services department. The application must be completed for all personal wireless facilities sites, both for those sites which require a conditional use permit and for those sites meeting the then current zoning criteria.

The application may be revised from time to time, as reasonably determined by the City of Pharr's Development Services department to be consistent with state and federal law.

⁷

Sec. 1.49.6 TELEPHONE, RADIO, CELLULAR, TELEVISION AND/OR OTHER TELECOMMUNICATION TOWERS AND ANTENNAS PERMITTED BY CONDITIONAL USE PERMIT

⁵ If the city does not act on the application and the application is "deemed granted", that deemed grant shall not be construed to include any granted variance, or other previously or currently required zoning condition, except as to height, width, excavation and cabinets, but only to the extent allowed by the 2014 Infrastructure Order. The deemed grant shall not extend to any other required zoning requirement or constitute as city consent to waive any prior imposed conditions. The deemed grant shall not be deemed a waiver of any of the requirements for information required of owners of the property site in the application, as to either privately owned property or city owned public property or city controlled public property, as set forth in the application. The deemed grant shall not be deemed as consent or a grant or license by the city for the applicant to use or occupy any publicly owned or controlled public property, or as a waiver for the city to require consent or a grant or license by the city to use or occupy any publicly owned or controlled public property.

⁶ 47 U.S.C. § 332(c)(7).

⁷ 47 U.S.C. § 332(c)(7), imposes several restrictions on local authority concerning "the placement, construction and modification of personal wireless service facilities", while otherwise preserving municipal regulatory and zoning authority. Section 6409 also imposes certain restrictions on the city. The application assists the city in determining the applicability of 47 U.S.C. § 332(c) and Section 6409.

Any Telecommunications Facility or Support Structures not meeting the requirements of SEC. 1.49 - K "Eligible Facilities Request" shall be required to meet the conditions as set forth in Appendix A, Zoning, Article III, Conditional Use Permits, Section 1.49, Telephone, Radio, Cellular, Television and/or other Telecommunication Towers and Antennas.

SECTION 4 – SEVERABILITY

If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

SECTION 5 – SAVINGS CLAUSE

Except as hereby amended, any provisions of the code of ordinances or directives of the City of Pharr, Texas, not in conflict with this Ordinance shall remain in full force and effect, unimpaired hereby.

SECTION 6 – EFFECTIVE DATE; PUBLICATION

The Ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

SECTION 7 – REPEALING CLAUSE

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8 – CUMULATIVE

This ordinance shall be cumulative of all ordinances of the City of Pharr, Texas, and of all laws of the State of Texas.

SECTION 9 – PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the _____ day of _____, 2017.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the _____ day of _____, 2017.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE THIRD READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the _____ day of _____, 2017.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.C.

DATE SUBMITTED: April 17, 2017

MEETING DATE: May 1, 2017

FROM: Elva Edmundson, Administrative Assistant

DEPARTMENT: Parks/PAL

DIRECTOR:

Agenda Item: Consideration and action, if any, on request from PSJA School District for the use of the Tierra del Sol Banquet Room on Saturday, May 13, 2017 from 2:00 p.m. to 8:00 p.m. for their annual swim team banquet.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The P-SJ-A District is requesting the use of the Tierra del Sol Banquet Room on Saturday, May 13, 2017 from 2:00 p.m. to 8:00 p.m. They wish to host their annual swim team banquet.

Financial Consideration:

Staff Recommendation: Staff recommends that the City Commission consider the request for the use of the facility at no cost.

Alternatives:

ROUTING:

Elva Edmundson
Sergio Alanis
City Management Office

Created/Initiated - 04/17/2017
Approved - 04/17/2017
Final Approval - 04/25/2017



PHARR-SAN JUAN-ALAMO ISD

Office of Support Services

Rene Campos, Asst. Superintendent for Support Services

April 13, 2017

Juan Guerra
City Manager
City of Pharr
118 South Cage Blvd.
Pharr, Texas 78577

Re: Use of Facilities

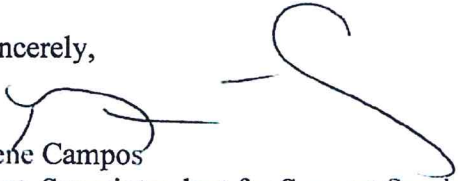
Dear Mr. Guerra:

The Pharr-San Juan-Alamo Swim Team is requesting the use of the Tierra Del Sol Banquet Hall on Saturday, May 13, 2017 to host their annual banquet. The event will take place from 2:00 PM to 8:00 PM.

We greatly appreciate your help in making a difference in PSJA ISD and for being our partner in education.

If you have any questions or need additional information, please call me at (956) 354-2053.

Sincerely,



Rene Campos
Asst. Superintendent for Support Services

START COLLEGE NOW! COMPLETE EARLY! GO FAR!

601 E. Kelly St., Pharr, TX 78577 P: (956) 354-3001 F: (956) 354-3001 www.psjaisd.us

It is the policy of Pharr-San Juan-Alamo ISD not to discriminate on the basis of sex, disability, race, color, religion, national origin or age.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.D.

DATE SUBMITTED: April 26, 2017

MEETING DATE: May 1, 2017

FROM: Gary Rodriguez, Events Center Director

DEPARTMENT: Events Center

DIRECTOR:

Agenda Item: Consideration and action, if any, on request from PSJA ISD for use of the Boggus Ford Events Center on Wednesday June 7, 2017 for the purpose of hosting a youth motivational conference.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The PSJA ISD Health Services Department is requesting the Pharr City Commission waive the rental fees of the Boggus Ford Events Center to be used from 8:00 am - 3:00 pm on Wednesday June 7, 2017 for the purpose of hosting a youth motivational conference. The date is available and an official "hold" has been placed on this date.

Financial Consideration: Since PSJA ISD qualifies for a non-profit rate, the amount requested to be waived is \$2,500.

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Gary Rodriguez
City Management Office

Created/Initiated - 04/26/2017
Final Approval - 04/26/2017



PHARR-SAN JUAN-ALAMO ISD

Office of Support Services

Rene Campos, Asst. Superintendent for Support Services

April 25, 2017

City of Pharr
Juan Guerra, City Manager
118 S. Cage
Pharr, TX 78577

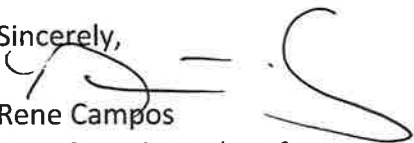
Re: Boggus Ford Events Center

Dear Mr. Guerra:

The Pharr-San Juan-Alamo ISD Health Services Department is requesting the use of the Boggus Ford Events Center to host a youth motivational conference. The youth conference is scheduled for **June 7, 2017 from 8:00 a.m. to 3:00 p.m.**

We greatly appreciate your support in making a difference in PSJA and for being our partner in education. If you have any questions or need additional information, please call me at (956) 354-2053.

Sincerely,



Rene Campos

Asst. Superintendent for Support Services

START COLLEGE NOW! COMPLETE EARLY! GO FAR!

601 E. Kelly St., Pharr, TX 78577 P: (956) 354-3001 F: (956) 354-3001 www.psjaisd.us

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AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.E.

DATE SUBMITTED: April 24,
2017

MEETING DATE: May 1, 2017

FROM: Vanessa Guzman, Administrative
Assistant

DEPARTMENT: Bridge

DIRECTOR: Luis Bazan

Agenda Item: Consideration and action, if any, on sponsorship for the 3rd Annual PSJA ECHS Bear Scholarship Classic Golf Tournament in the amount of \$1,000.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: On April 19, 2017, the Bridge Board approved the 3rd Annual PSJA ECHS Bear Scholarship Classic Golf Tournament Sponsorship for \$1,000.

Financial Consideration: \$1,000

Staff Recommendation: Authorization to sponsor the 3rd Annual PSJA ECHS Bear Scholarship Classic Golf Tournament Sponsorship.

Alternatives:

ROUTING:

Vanessa Guzman
Luis Bazan
City Management Office

Created/Initiated - 04/24/2017
Approved - 04/24/2017
Final Approval - 04/25/2017



PSJA Early College High School

Pharr-San Juan-Alamo ISD
Alejandro Elias, Principal

Dear Partner in Education:

On Saturday, May 13, 2017, PSJA Early College High School will hold the **3rd Annual PSJA ECHS Bear Scholarship Classic Golf Tournament** at Tierra Del Sol Golf Course in Pharr, Texas. At this time, we are reaching out to you and your business to be one of our event sponsors. We have a goal of 50 scholarships. Last year we had 38 scholarship recipients. These scholarships will be instrumental in celebrating and recognizing the achievement of our students. We are offering the following sponsorship levels:

Platinum Crown Title Sponsor- \$3,000

Includes (3) 3-Man Team Registration
Banner, Signs & Printed Material
Newspaper and Media Recognition
A Special Recognition Plaque

Gold Sponsor- \$2,500

Includes (2) 3-Man Team Registration
Banner and Printed Material Recognition
A Special Thank You Plaque

Silver Sponsor- \$2,000

Includes (1) 3-Man Team Registration
Banner & Printed Material Recognition
A Special Thank You Plaque

Bronze Sponsor- \$1,500

Includes (1) 3-Man Team Registration
Banner / Printed Material
A Special Thank You Plaque

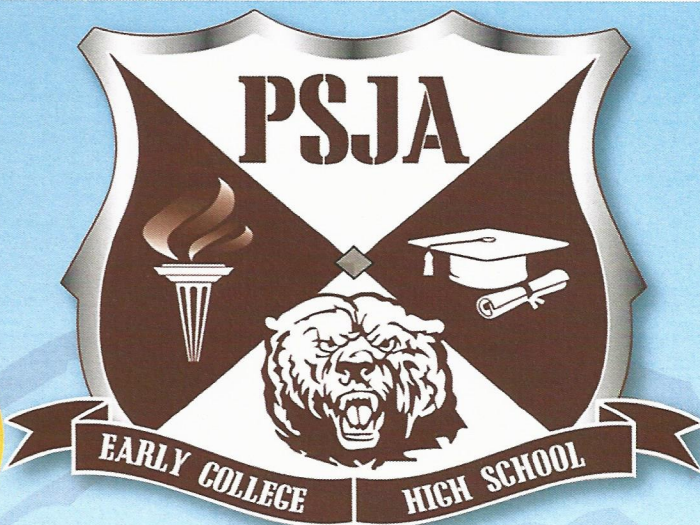
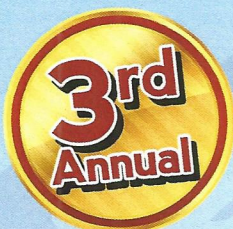
Bear Partner-\$1,000

Includes (1) 3-Man Team Registration
Banner / Printed Material
A Special Thank You Plaque

Friend of PSJA ECHS \$300 (Hole Sponsor)

A Special Appreciation Plaque

The format of the tournament will be 18 holes, 3 player teams (\$475 per team), Team Mulligans, Tiger Woods Shot, Phil Mickelson Shot, Longest Drive and the Closest -to- the- Pin Shot will be available. Each team registration includes the cart fees and food. Again, thank you in advance for your kind tax deductible sponsorship. Please make all checks payable to **PSJA ECHS Bear Golf Classic**. For more information concerning the tournament contact: Rey Perez at 956-457-1524 or Alejandro Elias at 956-354-2300.



Scholarship Golf Classic

May 13, 2017
Shotgun Start 9:00 am
Registration 7:30 am - 8:40 am

Format 18 Holes
3-Man Team / \$475
Individual Player / \$160
Mulligans
Tiger Woods Shot
Phil Mickelson Shot

Title Sponsor - \$3,000
Gold Sponsor - \$2,500
Silver Sponsor - \$2,000
Bronze Sponsor- \$1,500
Bear Partner- \$1,000
Friend of PSJA ECHS - \$300
(Hole Sponsor)

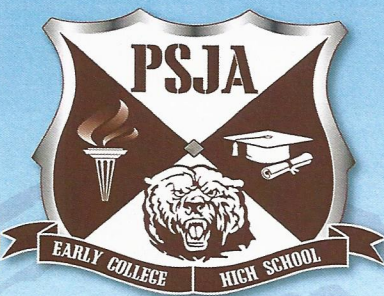


Tierra Del Sol
Golf Club

700 Hall Acres Rd,
Pharr, TX 78577
956.402.4545

Contact Information:
reynaldo.perez@psjaisd.us
Rey Perez 956.457.1524





3rd Annual

Scholarship Golf Classic

May 13, 2017
Shotgun Start 9:00 am
Registration 7:30 am - 8:40 am

Format 18 Holes 3-Man Team / \$475 Individual Player / \$160 Mulligans Tiger Woods Shot Phil Mickelson Shot	Title Sponsor - \$3,000 Gold Sponsor - \$2,500 Silver Sponsor - \$2,000 Bronze Sponsor- \$1,500 Bear Partner- \$1,000 Friend of PSJA ECHS - \$300 (Hole Sponsor)
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PRIZES
 1st - \$600
 2nd - \$450
 3rd - \$300
Longest Drive \$50
Closest - To - The - Pin \$50
ALL PRIZES
PRO-SHOP
CERTIFICATES

TITLE SPONSOR

HOLE-IN-ONE SPONSOR



Tierra Del Sol Golf Club
700 Hall Acres Rd.
Pharr, TX 78577
956.402.4545

Contact Information:
reynaldo.perez@psjaisd.us
Rey Perez 956.457.1524



Sponsorship Levels:

Title Sponsor- \$3000

Includes (3) 3-Man Team Registration
Banner, Signs & Printed Material
Newspaper and Media Recognition
A Special Recognition Plaque

Gold Sponsor- \$2500

Includes (2) 3-Man Team Registration
Banner and Printed Material Recognition
A Special Thank You Plaque

Silver Sponsor- \$2000

Includes (1) 3-Man Team Registration
Banner & Printed Material Recognition
A Special Thank You Plaque

Bronze Sponsor- \$1500

Includes (1) 3-Man Team Registration
Banner / Printed Material
A Special Thank You Plaque

Bear Partner- \$1000

Includes (1) 3-Man Team Registration
Banner / Printed Material
A Special Thank You Plaque

Friend of PSJA ECHS \$300 (Hole Sponsor) A Special Appreciation Plaque

Player / Team Information:

Sponsor Name: _____

Address: _____

Phone (Business/Cell): _____

E-Mail: _____

Player #1 & Handicap: _____

Player #2 & Handicap: _____

Player #3 & Handicap: _____

Registration and Breakfast 7:30 am - 8:40 am

Registration Includes

- Cart Fees
- Goody Bag
- Food and Beverages

Contact Information

Rey Perez - (956) 457-1524
Alejandro Elias - (956) 354-2300



Proceeds for Scholarships

Please make your tax deductible contribution to: PSJA EC High School Bear Classic.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.F.

DATE SUBMITTED: April 24,
2017

MEETING DATE: May 1, 2017

FROM: Vanessa Guzman, Administrative
Assistant

DEPARTMENT: Bridge

DIRECTOR: Luis Bazan

Agenda Item: Consideration and action, if any, on sponsorship for the Rio Grande Valley Partnership Foundations 28th Annual Valley Proud Honors Banquet in the amount of \$1,000.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: On April 19, 2017, the Bridge Board approved the Rio Grande Valley Partnership Foundations 28th Annual Valley Proud Honors Banquet Sponsorship for \$1,000.

Financial Consideration: \$1,000

Staff Recommendation: Authorization to sponsor the Rio Grande Valley Partnership Foundations 28th Annual Valley Proud Honors Banquet.

Alternatives:

ROUTING:

Vanessa Guzman
Luis Bazan
City Management Office

Created/Initiated - 04/24/2017
Approved - 04/24/2017
Final Approval - 04/25/2017



To our Proud Sponsors and Contributors,

The Rio Grande Valley Partnership Foundation (the Foundation) is gearing-up to host the 28th Annual Valley Proud Honors Banquet at the new Embassy Suites by Hilton in McAllen, TX.

The evening ceremony will take place on Monday, May 22nd 2017 from 7pm to 10pm (doors open at 6pm).

The Foundation will recognize the Valley's best and brightest students by honoring the top two graduating seniors and their families from every high-school in the Rio Grande Valley. We invite the Valedictorian and Salutatorian from each school district in the RGV to be honored at this special event.

It is for that reason that we are pleased to invite you to participate and consider contributing generously toward our event. Your sponsorship will provide us the opportunity to encourage the students, their family and our sponsors to engage in our communities to help improve the quality of life in our region.

A complete explanation of our sponsorship levels is enclosed. We invite you to review the information and select one that you feel best represents your commitment to education and growing our economy.

I look forward to seeing you there as we celebrate the lives of these students for their years of hard work and superior academic achievement.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anabell Cardona", written over a horizontal line.

Anabell Cardona
Chairwoman
956-968-3141

A handwritten signature in blue ink, appearing to read "Sergio Contreras", written over a horizontal line.

Sergio Contreras
President/CEO
956-355-0011

28TH ANNUAL VALLEY PROUD HONORS BANQUET

SPONSORSHIP LEVELS

\$10,000 Doctorate

- Logo added to Individual Student Photo
- Printed & electronic promotions
- Social Media promotions
- Logo on TV screens at venue
- Company Executive to introduce Keynote Speaker
- Recognition throughout night from EMCEE
- Large Logo on signage
- Logo on Event Program
- Primary reserve seating
- Table Signage on all tables
- 1 table of 10
- A Scholarship given out on behalf of your organization in the amount of \$1,000 during the event.
- A gift with your logo will be given out to each student.

\$5,000 Master's

- Printed & electronic promotions
- Social Media promotions
- Small Logo on signage
- Logo on TV screens at venue
- Recognition from EMCEE
- Logo on Event Program
- Primary reserve seating
- Table Signage on assigned table
- 5 Seats
- A Scholarship given out on behalf of your organization in the amount of \$500.00 during the event.

\$2,500 Graduate

- Printed & electronic promotions
- Social Media promotions
- Logo on signage
- Logo on TV screens at venue
- Recognition from EMCEE
- Logo on Event Program
- Primary reserve seating
- Table Signage on assigned table
- Two seats at shared table with Student & Family
- A Scholarship given out on behalf of your organization in the amount of \$250.00 during the event.

\$1,000 Bachelor's

- Social Media promotions
- Logo on TV screens at venue
- Logo on Event Program
- Table Signage on assigned table
- Two seats at shared table with Student & Family

\$500 Associate

- Logo on TV screens at venue
- Logo on Event Program
- Table Signage on assigned table
- Two seats at shared table with Student & Family

28TH ANNUAL VALLEY PROUD HONORS BANQUET

SPONSOR REGISTRATION

Sponsorship Level _____

Company Name _____

Company Contact _____ Contacts Phone _____

Contacts Email _____

Address _____

City _____ State _____ Zipcode _____

Method of Payment

_____ Check (Payable to RGV Partnership Foundation) Check # _____

_____ Credit Card: American Express _____ Visa _____ MC _____ Discover _____

Card Holders Name _____

Billing Address _____

City _____ State _____ Zipcode _____

Credit Card # _____

Expiration Date _____ CSV # _____

Please return this form to

Attention: Dulce Martinez - dulce@valleychamber.com
Rio Grande Valley Partnership Foundation
322 S Missouri St Weslaco, TX 78596
956.968.3141





AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.G.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Vanessa Guzman, Administrative Assistant

DEPARTMENT: Bridge

DIRECTOR: Luis Bazan

Agenda Item: Consideration and action, if any, on Asociacion de Agentes Aduanales de Reynosa "Guayabera" Sponsorship.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: On April 19, 2017, the Bridge Board approved the Asociacion de Agentes Aduanales de Reynosa "Guayabera" Sponsorship.

Financial Consideration: \$3,500

Staff Recommendation: Authorization to sponsor the "Guayabera" for the Asociacion de Agentes Aduanales de Reynosa.

Alternatives:

ROUTING:

Vanessa Guzman
Luis Bazan
City Management Office

Created/Initiated - 04/25/2017
Approved - 04/27/2017
Final Approval - 04/27/2017



REYNOSA

**ASOCIACION DE AGENTES ADUANALES
DE REYNOSA, A.C.**

"Una Asociación con Visión"

Cd. Reynosa, Tamps., a 13 de Abril de 2017.

Luis Bazan
Director del Puente Internacional.
Pharr International Bridge.
9900 S. Cage, Pharr, Texas 78577
Presente.

Asunto: Se solicita patrocinio.

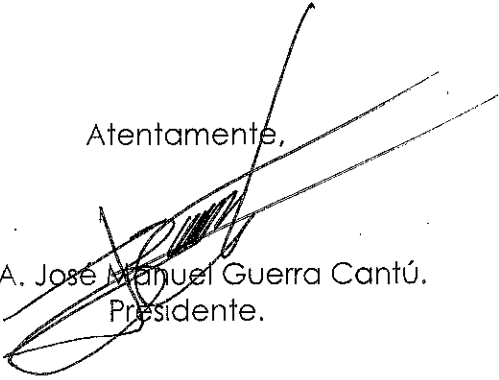
Estimado Sr. Bazan:

Por este conducto y dando seguimiento a nuestra plática el día de ayer, en la cual solicitamos al Puente Internacional de Pharr se adhiera a nuestros Patrocinadores Oficiales para la compra de Guayaberas que serán utilizadas en el **"Congreso Cancún, Quintana Roo"**, del 12 al 16 de Julio del presente año., solicito a Usted lo siguiente:

La cantidad de **\$3,500.00 dlrs (Tres mil quinientos dólares us/cy), para la compra de 75 Guayaberas 100% Lino Italiano, (esto incluye: el costo de las Guayaberas, los impuestos, la paquetería, y los logotipos).**

Esperando vernos favorecidos con nuestra petición, me es grato quedar a sus apreciables órdenes.

Atentamente,


L.V.A. José Manuel Guerra Cantú.
Presidente.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.H.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: Consideration and action, if any, on sponsorship for the Rio Grande Valley Literacy in the amount of \$1,000 for their 6th Annual Boots & Bling on Thursday, June 1, 2017.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The RGV Literacy Center is requesting sponsorship for their upcoming Boots & Bling Dinner and Dance on June 1, 2017. Sponsorship levels as follows:

\$5,000 (Diamond/Title Sponsor)

\$2,500 (Emerald Sponsor)

\$1,000 (Ruby Sponsor)

\$ 500 (Sapphire Sponsor)

\$ 250 (Pearl Sponsor)

Financial Consideration:

Staff Recommendation: Approve sponsorship request

Alternatives: Not to sponsor the event.

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 04/25/2017
Final Approval - 04/25/2017

6TH ANNUAL "STOMPIN' OUT ILLITERACY"

Boots & Bling

DINNER, DANCE, AND SILENT AUCTION

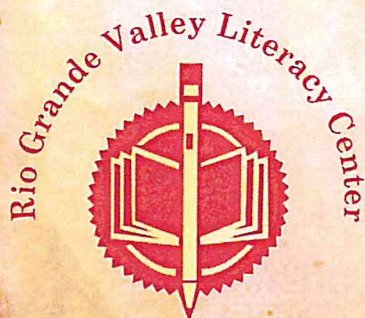
Sponsor Packet

Thursday, June 1, 2017

7:00 PM - 11:00 PM

Sofie's "SS" Saloon

6801 S. 10th Street McAllen, TX



"THE RIO GRANDE VALLEY LITERACY
CENTER PROVIDES ECONOMIC
OPPORTUNITIES BY EMPOWERING OUR
COMMUNITIES THROUGH ADULT
EDUCATION AND LITERACY."

March 25, 2017

Howdy,

Our 6th Annual Boots & Bling: Dinner, Dance, and Silent

Auction is just around the corner and we guarantee it will be better than ever! This year, The Rio Grande Valley Literacy Center Board of Directors and employees have made great strides in "Stompin' Out Illiteracy" in our region. Now we want you to join us as we shine a light on this year's accomplishments, and share with you all the fabulous things that we aspire to do in the upcoming year. We are all very proud of the work we do, and we believe that if you will join us in coming together to support this great cause, there is no limit to what we can accomplish! Do you realize that 50% of our county residents do not possess the reading, writing and communication skills needed to function in daily society? In order for a region to thrive, the RGVLC and supporters of education and literacy need to work together do their part. It is easy to complain about those who do not contribute, but what if we told you that in order to participate and do their part, some may need a hand. You can be that hand! Can you imagine the impact a literate community can have on our families, our economy, and our entire region? Your contribution to the RGVLC will be the difference. We hope you decide to be a part of our 6th Annual Boots and Bling Event, and join us in "Stompin' Out Illiteracy" in the Rio Grande Valley.

See you there,

Adrienne Peña-Garza

Event Chair

956-227-1366

penielope@aol.com



Sponsorship Levels

Diamond Sponsor \$5,000

Includes: Recognition as the "Title Sponsor" in all event promotion, VIP Table at Event, Business Logo Placed on the RGVLC's Webpage, Full Page in Event Program, Business Banner Displayed at Event and Company Recognition Live at Event.

Emerald Sponsor \$2,500

Includes: VIP Table at Event, Business Logo Placed on the RGVLC's Webpage, 1/2 Page Recognition in Event Program, Company Logo Displayed at Event.

Ruby Sponsor \$1,000

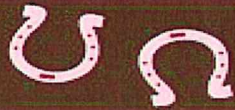
Includes: 6 Event Tickets, Business Logo Placed on the RGVLC's Webpage, 1/4 Page Recognition in Event Program, Company Logo Displayed at Event.

Sapphire Sponsor \$500

Includes: 4 Event Tickets, Business Logo Placed on the RGVLC's Webpage, Logo and Recognition in Event Program, Company Logo Displayed at Event.

Pearl Sponsor \$250

Includes: 2 Event Tickets, Business Logo Placed on the RGVLC's Webpage, Logo and Recognition in Event Program, Company Logo Displayed at Event.



6th Annual Boots & Bling Sponsor Commitment Form

____ Yes, I would like to sponsor the 6th Annual Boots & Bling Dinner and Dance.

Sponsorship Level: (Please Check One)

____ \$5,000.00(Diamond/Title Sponsor)

____ \$2,500 (Emerald Sponsor)

____ \$1,000 (Ruby Sponsor)

____ \$500.00 (Sapphire Sponsor)

____ \$250.00 (Pearl Sponsor)

Business Name (As you would like for it to appear on promotional materials):

Address: _____

Contact Person: _____

Phone Number: _____

Email: _____

*****Please mail or email completed form and copy of your company's logo to:**

director@rgvliteracycenter.org

Make Checks Payable to: Rio Grande Valley Literacy Center

PO Box 1752

Pharr, Texas 78577

For more information call us at: (405)210-8680, (956) 227-1366

The Rio Grande Valley Literacy Center is a 501(c)(3) non-profit organization.

Your gift donation is tax-deductible.

Your contribution is used to address the following :

- According to the Texas Center for the Advancement of Literacy and Learning, Hidalgo County has an illiteracy rate of 50%.
- More than 65 % of all state and federal corrections inmates can be classified as low literate or illiterate.
- The National Institute of Health reports that the greatest factor in a child's educational achievement, is not the school they attend or the neighborhood they live in but the education of their mother.
- Low-literate parents, particularly mothers, are more likely to exert a positive influence on their children's academic achievement when they are able to enhance their own literacy skills (Office Educational Research and Improvement (OERI) of the U.S. Department of Education).
- According to 2013 Census Data, 38% of adults do not possess a high school diploma. If the current adult population for Hidalgo County is approximately 550,000, that is 209,000 people.
- According to the Intercultural Development Research Association, the current drop-out rate for Hidalgo County is 32%.
- High school dropouts are less likely to find a job and earn a living wage, and more likely to be poor and suffer from a variety of adverse health outcomes (Rumberger, 2011).
- High school dropouts are more likely to rely on public assistance, engage in crime and generate other social costs borne by taxpayers (Belfield & Levin, 2007).

**For More Information Call Lisa @ (405)210-8680
or Adrienne @ (956)227-1366**

Administrative Office

1005 W. Gore St. Pharr, TX. 78577

Office Hours: Mon-Thur. 9:00 a.m.-12:00 p.m.

You can also visit our website at: www.rgvliteracycenter.org

 **www.facebook.com/RGVLC**





AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.I.

DATE SUBMITTED: April 24, 2017

MEETING DATE: May 1, 2017

FROM: Vanessa Guzman, Administrative Assistant

DEPARTMENT: Bridge

DIRECTOR: Luis Bazan

Agenda Item: Consideration and action, if any, on UT-RGV proposal for Trade Dashboard and Annual Report for the Pharr International Bridge.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: On April 19, 2017, the Bridge Board approved the UT-RGV proposal for Trade Dashboard and Annual Report for the Pharr International Bridge.

Financial Consideration: \$9,500

Staff Recommendation: Authorization for UT-RGV proposal for Trade Dashboard and Annual Report for the Pharr International Bridge. The Dashboard will allow us to see the type of products/commodities that cross through the Pharr Bridge, analyze the differences in crossings to see where we make up the differences in losses or gains, and to eventually know where the products are being shipped to, what cities, retailers and end-consumers. The Annual Report will allow us to share accurate data on a month to month basis for a complete one-year report.

Alternatives:

ROUTING:

Vanessa Guzman
Luis Bazan

Created/Initiated - 04/24/2017
Approved - 04/24/2017

City Management Office

Final Approval - 04/25/2017



Proposal for Trade Dashboard and Annual Report for the Pharr International Bridge

Prepared for

Luis Bazan, Bridge Director, Pharr International Bridge
Freddy Flores, Trade Liaison, Pharr International Bridge

By

The University of Texas Rio Grande Valley
Division of Research, Innovation, and Economic Development
Data and Information Services Center (DISC)
Michael Uhrbrock, Economic Research Director
Sai Mullapudi, Business Economic Research Associate IV
(956) 665-2301, (956) 665-7185

March 2017



Introduction

The Pharr International Bridge serves as one of the most important ports of entry for the U.S.-Mexico border. It handles both commercial and passenger operated vehicles and crosses about 175,000 vehicles a month.

The Pharr International Bridge connects U.S. Hwy 281/I-69W to the City of Reynosa, Tamaulipas, and Mexico. It is the only full-service commercial bridge in the area, with empty and full trucks crossing north and south, as well as passenger vehicles. It has grown to be the 7th busiest port in the U.S.A, and 4th along the Southern U.S. border with Mexico. It is the top produce port of entry in the United States.

Bridge officials monitor and track data concerning the activity at the bridge such as bridge crossings, car crossings, truck crossings, and total revenues on a monthly basis. Bridge officials produce a monthly report highlighting the data, post the data on their website, and produce a quarterly *The Crossing Times* with data and news on the bridge.

Bridge officials contacted the Data and Information Systems Center (DISC) at the University of Texas-Rio Grande Valley (UTRGV) to see if they could obtain data on what commodities the southbound trucks are crossing into Mexico. They do not have a system for monitoring or tracking what commodities are being crossed in the southbound trucks.

After conducting research on the data available on trade, DISC has identified a U.S. Census data source for trade data on exports and imports for the U.S., states, districts, and ports of entry, which provides the value of the exports and imports by 6-digit Harmonized System codes used by the U.S. government to track U.S. exports and imports.

Using the U.S. Census data source, DISC proposes to develop a web-based trade dashboard that would highlight monthly export and import trade data and trends. DISC also proposes to produce an annual report of commodities being exported and imported at the bridge.

The web-based trade dashboard and annual report will help bridge officials identify trade and changes and trends in the commodities being exported and imported at the bridge, which could be used for planning and marketing purposes.

Scope of Work

The Data and Information Services Center at The University of Texas Grande Valley proposes to provide the Pharr International Bridge with a trade data dashboard for exports and imports at the Pharr International Bridge (Hidalgo, TX, Port of Entry). In addition, DISC proposes to develop an annual report that highlight exports and imports data and trends at the Pharr International Bridge. The scope of work covers the following tasks.

Option A: Create a Trade Dashboard for Exports and Imports

DISC will create a web-based trade dashboard of key export and import data using Tableau, a software for creating data visualizations that can be published to the web for public viewing. The dashboard will feature a trend analysis of exports and imports, the top commodities being exported and imported, and trend analysis of the top commodities being exported and imported, along with other trade data. A link will be created that can be emailed or posted to social media, and computer code will be generated to embed the trade dashboard in a website to allow users to view the dashboard. The dashboard will be updated on a monthly basis as trade data is released.

Option B: Create Annual Trade Report

DISC will create and provide an annual report of commodities being exported and imported through the Pharr International Bridge. The report will include the total \$ value of exports and imports, the top commodities being exported and imported, trend analysis of the top commodities being exported and imported, and include an executive summary of the trends. The report will be 5 to 10 pages in length and will include color charts and tables. The annual report will be provided in Word and PDF format.

Timeline

	Annually	4 to 6 weeks
Option A: Create a trade dashboard of exports and imports		X
Option B: Create and provide annual trade report	X	

Cost

The cost for Option A (Create a trade dashboard of exports and imports) is \$7,000 a year. The cost for Option B (Create and provide annual trade report) is \$2,500 a year. Costs for the projects will be billed upon the start of the projects for 1 year of service. At the end of a year the bridge will have the option of renewing the project(s).

Option A: Create a trade dashboard of exports and imports	\$7,000
Option B: Create and provide annual trade report	\$2,500
Total	\$9,500

DISC

DISC specializes in providing data and research for economic development organizations, consultants, governments, businesses, and nonprofit organizations. As one of 54 Census Information Center in the United States, and a state affiliate of the Texas State Data Center, DISC provides access to and analysis of Census and local demographic and socioeconomic data for South Texas. DISC offers a variety of value-added data and information products and services including: economic impact analysis, market research, demographic and market reports, fiscal impact analysis, surveys, Geographic Information System services, and maps.

Key Staff

Michael Uhrbrock, Economic Research Director, UTRGV DISC

Mr. Uhrbrock brings years of experience in marketing research. He worked as a Senior Research Associate with Karin Richmond and Associates, a market research firm prior to joining UTRGV. At UTRGV, he has managed marketing research and economic research projects. He has a bachelor's degree in Business Administration, with a major in Marketing from UTRGV. Mr. Uhrbrock will oversee the project and write the annual report.

Sai Mullapudi, Business Economic Research Associate IV, UTRGV DISC

Sai is a Business Economic Research Associate IV with DISC. He has worked on several research, mapping and GIS projects during this employment with UTRGV. He has a master's degree in Information Technology, and a master's degree in Business Administration from UTRGV. Mr. Mullapudi will create web-based trade dashboard using Tableau and other software and create the tables and charts for the annual report.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.J.

DATE SUBMITTED: April 28, 2017

MEETING DATE: May 1, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Consideration and action, if any, on engagement of Hutchinson, Shockey, Erley & Co. for underwriting services in connection with the issuance of \$26,645,000 Combination Tax & Revenue Refunding Bonds, Series 2017.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: There is a NPV savings greater than our Debt Policy requirement of 3% which we are trying to lock in due to good interest rates. The Financial Adviser is Estrada, Hinojosa, and they have recommended this firm to underwrite the debt refunding. The refunding was approved earlier this fiscal year but the NPV savings must be at least 3%. At that time the markets changed and the NPV savings were not there, currently, the markets have improved and the NPV savings meets the requirement of 3%.

Financial Consideration:

Staff Recommendation: Staff recommends that the Financial Adviser's recommendation of Hutchinson, Shockey, Erley & Co be the underwriters for the Utility Debt Refunding.

Alternatives:

ROUTING:

Hilda Pedraza
Karla Moya

Created/Initiated - 04/28/2017
Approved - 04/28/2017

City Management Office

Final Approval - 04/28/2017

HutchinsonShockeyErley&Co
Ryan O'Hara
Senior Vice President
4545 Post Oak Place, Suite 215
Houston, Texas 77027
P - 713.621.4020 / F - 713.621.4022



April 24, 2017

City of Pharr, Texas
Mr. Juan Guerra – City Manager
P.O. Box 1729
118 S. Cage Blvd.
Pharr, Texas 78577

Scope of Engagement Re: Proposed Issuance of \$26,645,000 City of Pharr (the “City”)
Combination Tax & Revenue Refunding Bonds, Series 2017

Dear Mr. Guerra:

We are pleased to be working with you as the City’s underwriter.

The purpose of this letter is to confirm your retention of Hutchinson, Shockey, Erley & Co. (“HSE”) as underwriter and to set forth the role we (HSE) will serve and the responsibilities HSE will assume as the City’s underwriter in connection with the issuance of the above-referenced bonds (the “Securities”) by the City.

Services

- A. Working with The City’s financing team; HSE will provide our suggested approach for the financing. This includes suggested structuring of maturities, call provisions and general covenants required for the proper marketing of the Securities.
- B. HSE will meet with other interested parties in a reasonable time and fashion to facilitate an orderly implementation of the financing program.
- C. In conjunction with The City’s financing team HSE will provide input in connection with the preparation and dissemination of both a preliminary and final official statement relating to the Securities which shall conform to all current disclosure guidelines.

Issuer Acknowledgments

- A. HSE is being retained to act as sole underwriter of the Securities. HSE shall have the right to negotiate the purchase of the Securities from the City at terms mutually agreeable to the parties involved in the offering.
- B. HSE's primary role is to purchase the Securities with a view to distribution in an arms-length commercial transaction with the City, and HSE has financial and other interests that differ from those of the City.
- C. Rule G-17 of the Municipal Securities Rulemaking Board requires an underwriter such as HSE to deal fairly at all times with the City and investors.
- D. Unlike a municipal advisor, HSE as an underwriter does not have a fiduciary duty to the City under the federal securities laws and is, therefore, not required by federal law to act in the best interest of the City without regard to its own financial or other interests.
- E. HSE has a duty to purchase the Securities from the City at a fair and reasonable price, but must balance that duty with its duty to sell the Securities to investors at prices that are fair and reasonable.
- F. HSE will review the official statement for the Securities in accordance with, and as part of, its responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of the offering.
- G. HSE's compensation under this agreement is contingent on the closing of the offering of the Securities. Such contingent compensation presents a conflict of interest, because it may cause HSE to recommend the offering even if it is unnecessary or to recommend that the size of the offering be larger than is necessary.

Termination

The terms of this engagement will expire 24 hours after the closing.

Miscellaneous

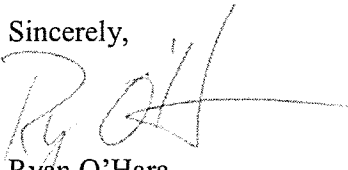
- A. All expenses relating to the issuance of the Securities shall be payable by the City either from proceeds of the Securities or from funds on hand of the City.
- B. Neither the City nor any of its officials or any person acting on behalf of the City has employed any person as a broker, finder or agent or incurred any liability for any broker fees, finder's fees, commissions or similar payments in connection with the Securities.

Request for Signed Copy

If the foregoing terms of this engagement are acceptable to the City, please so indicate by returning the enclosed copy of this letter dated and signed by an appropriate officer, retaining the original for you files. If we do not hear from you within thirty (30) days we will assume that these terms are acceptable to you, but we would prefer to receive a signed copy of this letter from you.

I am looking forward to working with you and the City.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. O'Hara", with a long horizontal stroke extending to the right.

Ryan O'Hara
Senior Vice President
Hutchinson, Shockey, Erley & Co.

Accepted and Agreed as of the
Date first above written:

City of Pharr, Texas

By: _____

Its: _____
Title



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.K.

DATE SUBMITTED: April 27, 2017

MEETING DATE: May 1, 2017

FROM: Maria Rangel, Engineer in Training

DEPARTMENT: Engineering

DIRECTOR: Omar Anzaldua

Agenda Item: Consideration and action, if any, on Deduct Change Order Number 1 and Final Reconciliation of Quantities for the Sugar Road at Eldora Road Traffic Signal.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Deduct Change Order Number 1 is for final reconciliation of quantities for construction of traffic signals at the intersection of Sugar Road and Eldora Road. Improvements have been completed according to plans and specifications.

The final quantities included an under run of the contingency allowance in the construction contract. The net decrease to the contract is \$ 22,900.00 for this work.

Financial Consideration: This is an under run of quantities, which reduces the contract from \$ 121,403.80 to \$ 98,503.00.

Staff Recommendation: Staff recommends approval of Deduct Change Order Number 1 and Final in the amount of \$ 22,900.00 for a revised contract amount of \$ 98,503.80.

Alternatives:

ROUTING:

Maria Rangel
Omar Anzaldua

Created/Initiated - 04/27/2017
Approved - 04/28/2017

Karla Moya
Edward Wylie
Juan Guerra

Approved - 04/28/2017
Approved - 04/28/2017
New -



CERTIFICATE OF CONSTRUCTION COMPLETION

THIS IS TO CERTIFY THAT ON March 11, 2017 A FINAL INSPECTION was made of the project herein described.

CONTRACT:	<u>SUGAR ROAD & ELDORA ROAD TRAFFIC SIGNAL</u>
BID NO.:	<u>1516-01-528-0031</u>
CONTRACT DATE:	<u>06-07-16</u>
CONTRACTOR:	<u>AUSTIN TRAFFIC SIGNAL CONST. CO., INC.</u>
ADDRESS:	<u>PO BOX 130 ROUND ROCK, TX 78680</u>
PROJECT DESCRIPTION:	<u>TRAFFIC SIGNAL INSTALLATION AT SUGAR ROAD AND ELDORA ROAD</u>

THIS IS TO CERTIFY:

1. That the work has been completed in accordance with the plans and specifications and all addenda, change orders, supplemental agreements thereto, and with the following exceptions:
2. That the sum of \$ 0.00, deducted from the final payment of the Contractor is a fair and equitable settlement for the foregoing except work.
3. That the contractor has presented a "Certificate of Release" starting under oath, that all claims arising out of the performance of work have been fulfilled, and the Owner is released from all claims arising under or by virtue of said contract.
4. That the CONTRACTOR has presented in behalf of itself and its sureties, satisfactory evidence that it is bound to repair, replace, and make good any faulty workmanship and/or materials discovered in the work within a period of one year from this date, as provided in said contract.

5. Original Contract	\$ <u>121,403.80</u>
Change Orders	\$ <u>-22,900.00</u>
Current Contract	\$ <u>98,503.80</u>
Total Earned to Date	\$ <u>98,503.80</u>
Less Previous Payments (-)	\$ <u>91,583.61</u>
Balance with Retainage	\$ <u>6,920.19</u>
Authorized Deductions (-)	\$ <u>0.00</u>
Final Payment	\$ <u>6,920.19</u>

6. That the **Final Payment** in the amount of \$ (6,920.19)
(_____)
is due and payable.

ALDANA ENGINEERING& TRAFFIC DESIGN
Engineering Company

Albert J. Aldana
Project Engineer's Signature

APPROVED BY:

AUSTIN TRAFFIC SIGNAL CONST. CO., INC.

Contractor

[Signature]

Signature

April 6, 2017

Date

APPROVED BY:

City Engineer

Signature

Date



CHANGE ORDER

Contractor: Austin Traffic Signal, Inc.

Change Order No.: 1

Project: Sugar Road & Eldora Road Traffic Signal
Bid No. 1516-01-528-0031

Date: 6-Apr-17

Notice to Proceed Date: 1-Aug-16

Change Order Amount: \$ (22,900.00)

You are directed to make the following changes in the Contract Documents:

The contract sum will be decreased by \$ 22,900.00

The contract time will be increased by 62 days.

Reason for Change Order:

Decrease in contract sum for remaining balance in Allowance.

Increase in contract time for replacing 3 head signal with 4 head signal.

	Contract Price		Contract Time(Calendar Days)
Original Contract:	\$ 121,403.80	Original Completion Date:	8-Jan-17
Previous Change Order: (+/-)	\$ -	Additional Days:	62
This Change Order: (+/-)	\$ (22,900.00)	Revised Completion Date:	11-Mar-17
Revised Contract Amount:	\$ 98,503.800		

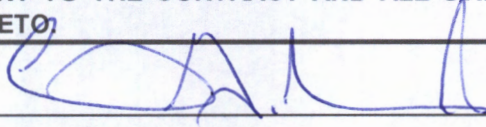
It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO

Accepted:

Austin Traffic Signal, Inc.

Contractor


Authorized Signature

04-06-17

Date

Recommended:

Albert J. Aldana, P.E.

Project Engineer


Authorized Signature

04-27-2017

Date

Omar Anzaldia Jr., P.E.

City Engineer

Authorized Signature

Date

Approved:

Juan Guerra

City Manager

Authorized Signature

Date

Payment Request No. 5 Five-Revised
Period: 09/01/2016 to 02/28/2017

Owner: City of Pharr
118 South Cage
Pharr, TX 78577

Contractor: Austin Traffic Signal Inc.
PO BOX 130
Round Rock, TX 78680

Project: Sugar Rd. & Eldora Rd. Traffic Signal
Bid No: 1516-01-528-0031

Original Contract Amount:	<u>\$121,403.80</u>
Change Orders:	<u>-\$22,900.00</u>
Contract Amount to Date:	<u>\$98,503.80</u>
Total to Date:	<u>\$98,503.80</u> Attachment "A"
Total Stored to Date:	*
Total to Date:	<u>\$98,503.80</u>
Retainage:	<u>\$0.00</u>
Total Due Less Retainage:	<u>\$98,503.80</u>
Less Previous Payments:	<u>\$91,583.61</u>
Current Payment Due:	<u>\$6,920.19</u>

Percent Completed: 100.00%

Change Order Summary		
No.	Addition	Deductions
1		\$22,900.00
Totals:	\$0.00	\$22,900.00
Net Change Order:		<u>\$22,900.00</u>

* Provide Documentation



Contractor:

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Progress Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Progress Payment were issued and payments received from the Owner, and that current payment shown herein is now due:

[Signature]
Signature: Ed Schroeder, Vice-Pres

April 6, 2017
Date

Subscribed and sworn before me this 6th day of April 2017

The above person appeared before me, the undersigned notary public and provided satisfactory evidence of identification to be the person signed this document in my presence and swore or affirmed to me that the contents of this document are truthful and accurate to the best of his/her knowledge and belief.

Collette Phillips
Notary Public: Collette Phillips
My Commission Expires: January 12, 2020
Notary ID# 836259-5
My Commission Expires:

City of Pharr Construction Manager:

In accordance with the Contract Documents, based on on-site observation and the data comprising this progress payment, the Construction Manager certifies to the Owner that to the best of the Construction Manager's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents and the Contractor is entitled to progress payment.

Albert J. Aldana
Signature: Albert J Aldana

04-27-2017
Date:

Approved:

Omar Anzaldua, P.E.
City Engineer

Signature _____ Date _____

Ed Wylie
Assistant City Manager

Signature _____ Date _____

Juan Guerra
City Manager

Signature _____ Date _____

Attachment "A"
Tabulation of Contact Work Performed

Item No.	Description	Contract				This Period		Total To Date	
		Units	Quantity	Unit Cost	Amount	Quantity	Amount	Quantity	Amount
416	DRILL SHAFT (TRF SIG POLE) (36 IN)	LF	28	\$240.00	\$6,720.00		\$0.00	28	\$6,720.00
422	REINFORCED CONCRETE SLAB (4")	SF	60	\$150.00	\$9,000.00		\$0.00	60	\$9,000.00
500	MOBILIZATION	LS	1	\$7,500.00	\$7,500.00		\$0.00	1	\$7,500.00
502	BARRICADES, SIGNS, AND TRAFFIC HANDLING	MO	3	\$1,250.00	\$3,750.00		\$0.00	3	\$3,750.00
618	CONDT (PVC) (SCHD 40) (2")	LF	72	\$15.00	\$1,080.00		\$0.00	72	\$1,080.00
618	CONDT (PVC) (SCHD 40) (4")	LF	56	\$20.00	\$1,120.00		\$0.00	56	\$1,120.00
620	ELEC CONDR (NO. 8) BARE	LF	19	\$1.60	\$30.40		\$0.00	19	\$30.40
620	ELEC CONDR (NO. 6) BARE	LF	96	\$1.80	\$172.80		\$0.00	96	\$172.80
620	ELEC CONDR (NO. 6) INSULATED	LF	154	\$1.90	\$292.60		\$0.00	154	\$292.60
621	TRAY CABLE (4 CONDR) (12 AWG)	LF	371	\$2.00	\$742.00		\$0.00	371	\$742.00
624	GROUND BOX TY C (162911) W/APRON	EA	1	\$815.00	\$815.00		\$0.00	1	\$815.00
625	ZINC-COAT STL WIRE STRAND (3/8 IN)	LF	700	\$2.50	\$1,750.00		\$0.00	700	\$1,750.00
644	IN SM RD SN SUP & AM TY10BWG (1) SA (P)	EA	2	\$750.00	\$1,500.00		\$0.00	2	\$1,500.00
644	REMOVE SM RD SN SUP & AM	EA	4	\$150.00	\$600.00		\$0.00	4	\$600.00
666	REFL PAV MRK TY I (W) 12" (SLD) (100MIL)	LF	400	\$5.80	\$2,320.00		\$0.00	400	\$2,320.00
666	REFL PAV MRK TY I (W) 24" (SLD) (100MIL)	LF	100	\$10.60	\$1,060.00		\$0.00	100	\$1,060.00
666	REFL PAV MRK TY I (W) (ARROW) (100MIL)	EA	4	\$110.00	\$440.00		\$0.00	4	\$440.00
666	REFL PAV MRK TY I (W) (WORD) (100MIL)	EA	2	\$110.00	\$220.00		\$0.00	2	\$220.00
672	REFL PAV MRK TY I-C	EA	20	\$5.90	\$118.00		\$0.00	20	\$118.00
672	REFL PAV MRK TY II-A-A	EA	10	\$5.90	\$59.00		\$0.00	10	\$59.00
680	INSTALL HWY TRF SIG (ISOLATED)	EA	1	\$19,500.00	\$19,500.00		\$0.00	1	\$19,500.00
682	VEH SIG SEC (12 IN) LED (GRN)	EA	8	\$185.00	\$1,480.00		\$0.00	8	\$1,480.00
682	VEH SIG SEC (12 IN) LED (GRN ARW)	EA	2	\$185.00	\$370.00		\$0.00	2	\$370.00
682	VEH SIG SEC (12 IN) LED (YEL)	EA	8	\$185.00	\$1,480.00		\$0.00	8	\$1,480.00
682	VEH SIG SEC (12 IN) LED (YEL ARW)	EA	2	\$185.00	\$370.00		\$0.00	2	\$370.00
682	VEH SIG SEC (12 IN) LED (RED)	EA	8	\$185.00	\$1,480.00		\$0.00	8	\$1,480.00
682	PED SIG SEC (12 IN) LED (COUNTDOWN)	EA	8	\$450.00	\$3,600.00		\$0.00	8	\$3,600.00
682	BACK PLATE (12 IN) (3 SEC)	EA	8	\$70.00	\$560.00		\$0.00	8	\$560.00
682	BACK PLATE (12 IN) (5 SEC)	EA	2	\$95.00	\$190.00		\$0.00	2	\$190.00
684	TRF SIG CBL (TY A) (12 AWG) (5 CONDR)	LF	233	\$2.20	\$512.60		\$0.00	233	\$512.60
684	TRF SIG CBL (TY A) (12 AWG) (7 CONDR)	LF	1026	\$2.40	\$2,462.40		\$0.00	1026	\$2,462.40
686	INS TRF SIG PL AM (S) STR (TY B) LUM	EA	2	\$5,100.00	\$10,200.00		\$0.00	2	\$10,200.00
688	PED DETECT PUSH BUTTON (STANDARD)	EA	8	\$145.00	\$1,160.00		\$0.00	8	\$1,160.00
6002	VIVDS PROCESSOR SYSTEM	EA	1	\$6,925.00	\$6,925.00		\$0.00	1	\$6,925.00
6002	VIVDS CAMERA ASSEMBLY	EA	4	\$1,250.00	\$5,000.00		\$0.00	4	\$5,000.00
6002	VIVDS SET-UP SYSTEM	EA	1	\$600.00	\$600.00		\$0.00	1	\$600.00
6002	VIVDS COMMUNICATION CABLE (COAXIAL)	LF	408	\$3.00	\$1,224.00		\$0.00	408	\$1,224.00
1000	Allowance Amount	LS	1	\$25,000.00	\$25,000.00	0.084	\$2,100.00	0	\$2,100.00
					\$0.00		\$0.00	0	\$0.00
					\$0.00		\$0.00	0	\$0.00
					\$0.00		\$0.00	0	\$0.00
TOTALS					\$121,403.80		\$2,100.00		\$98,503.80



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.L.

DATE SUBMITTED: April 26, 2017

MEETING DATE: May 1, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Consideration and action, if any, on Development Services Cases:

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 04/26/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.L.1.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Alexandra Esparza, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: All Square, Inc., represented by Mr. Ramiro Armendariz, d/b/a Jackie's, is requesting 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 Colonia Santa Barbara, S150' of Lots 5-10, Block 1, Pharr, Hidalgo County, Texas. The property's physical address is 819 West Ferguson. **CUP#120419**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: All Square, Inc., represented by Mr. Ramiro Armendariz, d/b/a Jackie's, is requesting 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 Colonia Santa Barbara, S150' of Lots 5-10, Block 1, Pharr, Hidalgo County, Texas. The property's physical address is 819 West Ferguson. **CUP#120419**

Financial Consideration: N/A

Staff Recommendation: Development Services recommends **approval** of the renewal request for 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) subject to site and applicant being in compliance with all City Ordinances and City Department requirements.

Alternatives: N/A

ROUTING:

Alexandra Esparza

Roland Gomez

Melanie Cano

City Management Office

Created/Initiated - 04/25/2017

Approved - 04/26/2017

Approved - 04/26/2017

Final Approval - 04/26/2017



MAYOR Ambrosio "Amos" Hernández | CITY MANAGER Juan G. Guerra, CPA
COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Oscar Elizondo, Jr. | Edmund Maldonado, Jr. | Ricardo Medina | Mario Bracamontes

Executive Summary Letter

May 01, 2017

Conditional Use Permit **Renewal** for ABC –

Jackie's

Background:

All Square Inc, Represented by Ramiro Armendariz, d/b/a Jackies, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 4th renewal for Jackie's.

The property is located at 819 West Ferguson. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverage for on-premise consumption subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.

P:\Admin\CUPs\ABC\ABC_JACKIES_R.ARMENDARIZ_2012

MEMORANDUM

DATE: MONDAY, MAY 01, 2017

TO: MAYOR AND CITY COMMISSION

FROM: MELANIE CANO, DIRECTOR OF DEVELOPMENT SERVICES

THROUGH: JUAN GUERRA, CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT & LATE HOURS RENEWAL FOR ABC FILE NO. CUP#120419 (JACKIES)
--

GENERAL INFORMATION:

APPLICANT: All Square, Inc., represented by Mr. Ramiro Armendariz, d/b/a Jackie's, is requesting 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).

LEGAL DESCRIPTION: The property is legally described as Colonia Santa Barbara, S150' of Lots 5-10, Block 1, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 819 West Ferguson.

ZONING: The property is currently zoned General Business District (C). The adjacent zonings are General Business District (C) to the north, east, and west, and Single-Family Residential District (R-1) to the south. The area is generally designated for commercial use in the Land Use Plan.

COMMENTS:	CODE COMPLIANCE:	Recommends approval of the Conditional Use Permit. (See attached memo)
------------------	-------------------------	--

FIRE MARSHAL:	Recommends approval of the Conditional Use Permit. (See attached memo)
----------------------	--

POLICE CHIEF:

Recommends approval of
the Conditional Use Permit.
(See attached memo)e

**PLANNING
DEPARTMENT:**

Recommends approval of
the Conditional Use Permit.
(See attached memo)e

**DEVELOPMENT
SERVICES
RECOMMENDATIONS:**

Development Services recommends **approval** of the renewal request for 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) subject to site and applicant being in compliance with all City Ordinances and City Department requirements.

Company Name or Business Entity: Jackie's Type of Business: Bar
Applicant: Ramiro Armenariz Phone No.: (956) 783-7475
(First) (Middle) (Last)
Mailing Address: 819 W. Ferguson Pharr TX 78577
(Address) (City) (State) (Zip)

EXISTING BUILDING	☒ YES	☐ NO	
MIXED OCCUPANCY	☐ YES	☒ NO	IF YES, TYPE OF ADJACENT OCCUPANCY(S):
CHANGE OF OCCUPANCY FROM PREVIOUS?	☐ YES	☒ NO	IF YES, PREVIOUS TYPE OF OCCUPANCY(S):
IS FIRE PROTECTION REQUIRED?	☒ YES	☐ NO	IF SO, WHAT TYPE?
IS CHANGE OF WALL ASSEMBLY REQUIRED?	☒ YES	☐ NO	IF SO, WHAT TYPE?

PASSED WITH CONDITIONS ☒ PASSED ☐ FAILED ☐ RE-INSPECTION DATE:

BUILDING STATUS/ STRUCTURAL	PASS	FAIL	N/A	COMMENTS
1. FLOOR	/			
2. EXTERIOR WALLS	/			
3. INTERIOR WALLS	/			
4. CEILING	/			
5. ROOF	/			
6. PREMISE (LANDSCAPING, CLEAN, EXT...)	/			
7. GARBAGE CONTAINER	/			
8. IS ADDRESS POSTED AND CORRECT?	/			
9. IS LANDSCAPING IN COMPLIANCE?	/			
MEANS OF EGRESS	PASS	FAIL	N/A	COMMENTS
1. OCCUPANT LOAD (IF APPLICABLE) <u>75</u>	/			
3. NUMBER OF EXITS <u>3</u>	/			
4. MEANS OF EGRESS LIGHTING	/			
5. EXIT SIGNS	/			
6. DOOR HARDWARE	/			
ACCESSIBILITY	PASS	FAIL	N/A	COMMENTS
1. RESTROOMS	/			
2. PATH OF EGRESS	/			
3. RAMPS (HANDRAIL / GUARDS)	/			
4. DOORS	/			
5. IS OCCUPANCY CHANGED (ADA COMPLIANT)	/			
ELECTRICAL	PASS	FAIL	N/A	COMMENTS
1. SERVICE ENTRANCE	/			
2. SERVICE EQUIPMENT	/			
3. WIRING SYSTEM	/			
4. LIGHT FIXTURE	/			
5. RECEPTACLE OUTLETS (G.F.C.I. WHERE REQUIRED)	/			Need bulb covers on Kitchen Hood/Walk IN
MECHANICAL	PASS	FAIL	N/A	COMMENTS
1. REGISTERS	/			
2. GRILLS	/			
3. DRAINS	/			
4. EQUIPMENT	/			
PLUMBING	PASS	FAIL	N/A	COMMENTS
1. P. TRAPS	/			
2. VENTS	/			
3. DRAINS	/			
4. PLUMBING FIXTURES	/			
5. WATER SERVICE LINE	/			
6. DISTRIBUTION LINES	/			
8. BACKFLOW PREVENTION	/			
9. GAS SYSTEM	/			
10. GREASE TRAP	/			
WATER/HEATER	PASS	FAIL	N/A	COMMENTS
1. LOCATION	/			
2. T.P. VALVE & DRAIN	/			Maintenance Room
3. SHUT-OFF VALVE	/			
4. VENT (IF APPLICABLE)	/			

BUILDING / SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:
Site meets improvements from last inspection
collections were made

Es Me 04-19-2017 Jose Velez 4/19/17
(INSPECTOR / OFFICER) (Date) (RECEIVED BY) (Date)



Prevention Division
118 S. Cage Blvd., 3rd Fl
Pharr, Texas 78577
Ph: 956-402-4400
Fax: 956-475-3433
fireprevention@pharrfd.net

April 5, 2017

JACKIE'S BAR AND GRILL
819 W FERGUSON AVE
PHARR, TX 78577

INSPECTION STATUS - PASSED

An inspection of your facility on Apr 5, 2017 revealed no violations.

2960 EDUARDO LUGO
Inspector

Marta BARRAZA

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

APR 06 2017

BY:  _____



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 402-4700 • FAX: (956) 781-9163



To: Melanie Cano, Director City Planning
From: Joel Robles, Asst. Chief of Police
Date: 04/12/2017

Re: Conditional use Permit & Late Hours Renewal for ABC – File No. CUP#120419 (Jackie's)

All Square Inc. represented by Mr. Ramiro Armendariz (.. d/b/a Jackie's is requesting a 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 more fully described as follows:

- **Legal Description:** Colonia Santa Barbara, S150' of Lots 5-10, Block 1, Pharr, Hidalgo County, Texas.
- **Physical Address:** 819 W. Ferguson
- **Contact Number:** 956-783-7475

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Ms. Cano, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tags and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.
5. Establishment abides by TPC Chapter 47 Gambling Laws.

Asst. Chief of Police

Joel Robles
Office: 956-402-4739
Mobile: 956-878-3233
joel.robles@pd.pharr-tx.gov

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

APR 13 2017

BY: _____



MEMORANDUM

DATE: MONDAY, MAY 01, 2017

TO: MAYOR AND CITY COMMISSION

FROM: MELANIE CANO, DIRECTOR OF DEVELOPMENT SERVICES

THROUGH: JUAN GUERRA, CITY MANAGER

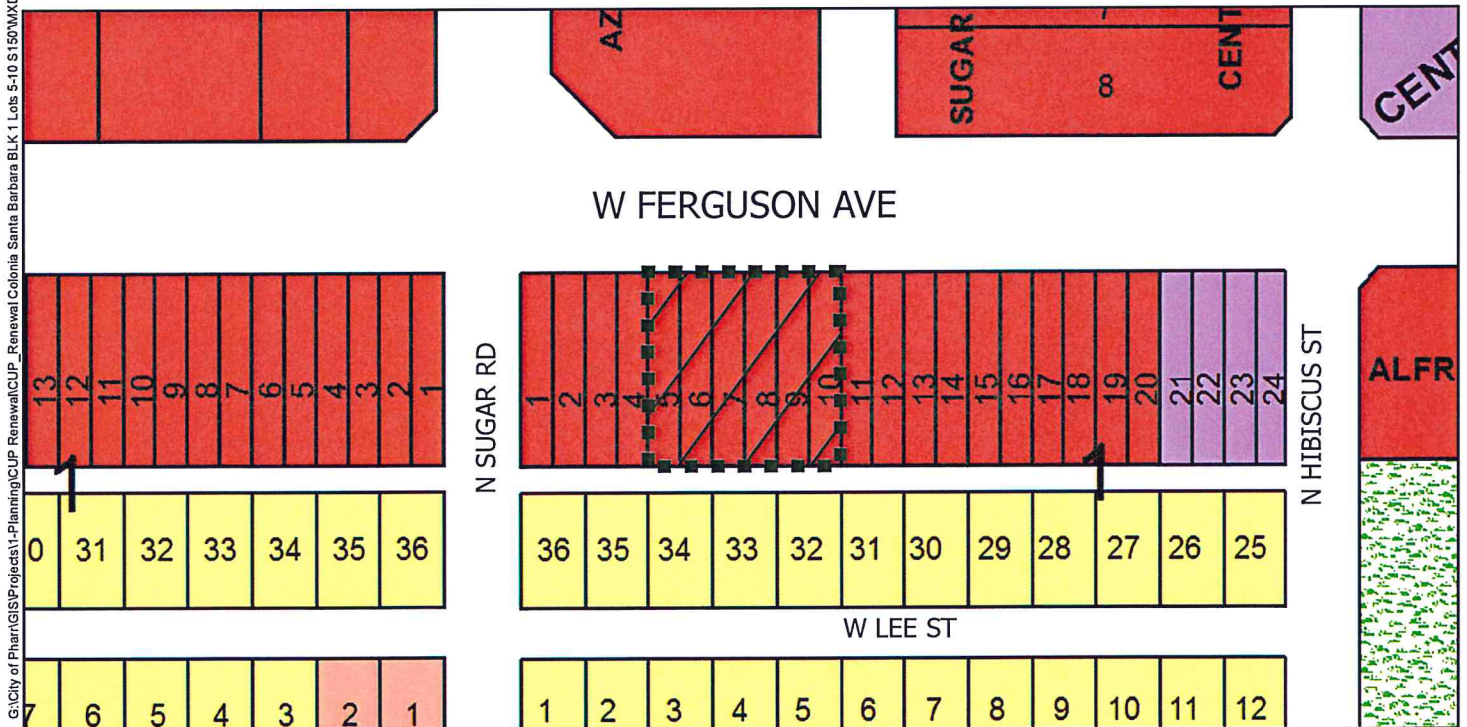
SUBJECT: CONDITIONAL USE PERMIT & LATE HOURS RENEWAL FOR ABC FILE NO. CUP#120419 (JACKIES)
--

All Square, Inc., represented by Mr. Ramiro Armendariz, d/b/a Jackie's, is requesting 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 more fully described as follows:

Legal Description: Colonia Santa Barbara, S150' of Lots 5-10, Block 1, Pharr, Hidalgo County, Texas.

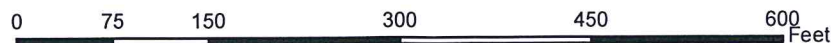
Physical Address: 819 West Ferguson.

Development Services is recommending **approval** of the renewal request for the Conditional Use Permit and Late Hours Permit provided the site and applicant being in compliance with all City Ordinances and City Department requirements.



Agricultural Open Space	High Density Multi-Family	Government Owned	Heavy Industrial	Hidalgo ISD
Single Family	Mobile Home	General Business	Limited Industrial	Valley View ISD
Single Family Small Lot	Townhouse	Business District	Neighborhood Commercial	Planned Unit Development
Two Family	HUD Code	Drainage Easement	Office Professional	
Medium Density Multi-Family	Rail Road R.O.W.	Heavy Commercial	PSJA ISD	

Scale: 1 inch = 150 feet



Date: 4/24/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.A.

DATE SUBMITTED: April 27, 2017

MEETING DATE: May 1, 2017

FROM: Roel Garza, Parks & Recreation
Director

DEPARTMENT: Parks/PAL

DIRECTOR: Sergio Alanis

Agenda Item: Consideration and action, if any, on Ordinance establishing requirements, administrative approval, routes for all 5k, 10k, and Half Marathon events and other applicable activities. - ***1st Reading***

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The City of Pharr Texas establishing requirements, administrative approval, routes for all run/walk events and other applicable activities; authority; area; definitions; prohibitions; exceptions; enforcement, punishment, penalties at law and equity.

Financial Consideration:

Staff Recommendation: Staff recommends that the City Commission consider the approval of run/walk ordinance.

Alternatives:

ROUTING:

Roel Garza
Sergio Alanis
Patricia Rigney
City Management Office

Created/Initiated - 04/27/2017
Approved - 04/27/2017
Approved - 04/28/2017
Final Approval - 04/28/2017

ORDINANCE NO: 0-2017-_____

AN ORDINANCE OF THE CITY OF PHARR TEXAS ESTABLISHING REQUIREMENTS, ADMINISTRATIVE APPROVAL, ROUTES FOR ALL RUN/WALK EVENTS AND OTHER APPLICABLE ACTIVITIES; AUTHORITY; AREA; DEFINITIONS; PROHIBITIONS; EXCEPTIONS; ENFORCEMENT, PUNISHMENT, PENALTIES AT LAW AND EQUITY; INCLUSION IN PHARR CODE OF ORDINANCES; INCORPORATION OF OTHER ORDINANCES; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE

WHEREAS, Run/Walk events are, by definition, atypical and not necessarily anticipated by or appropriately regulated by existing citywide ordinances; and

WHEREAS, the City of Pharr desires to regulate Run/Walk events for the same reasons it regulates land uses; to protect the health, safety and public welfare by regulating traffic, noise, aesthetics, and other impacts; and

WHEREAS, Run/Walk events often require the provision of public services, including police, fire, transportation, and public works and additional maintenance of the facilities they use; and

WHEREAS, Run/Walk events often use facilities that would otherwise be available to the public or generate revenue to the City; and

WHEREAS, managing Run/Walk events requires ensuring that these events are compatible in size and type of use with their sites, adequate services are provided for the events, adequate cost recovery for these events is achieved, the events do not interfere with the City's ability to provide services to the entire community, and the impacts on neighbors and others are minimized; and

WHEREAS, the City receives numerous inquiries from individuals and organizations interested in holding run/walk events in the City, and

WHEREAS, the City finds it in the best interest of the City, its residents, and attendees to establish routes for run/walk events; and

WHEREAS, the City finds it in the best interest of the City and its residents to require race organizers to pay a fee as determined by City staff for the run/walk event,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:

SECTION 1: DEFINITION(S):

Run/Walk Event- includes an event of a designated distance, including

but not limited to, a 5k, 10k, half marathon, marathon, and/or mud run, which involves, but is not limited to, walking, running, and/or racing.

5K run/walk: includes a walking/running event over a distance of five kilometers (3.1069 miles).

10K run/walk: includes a walking/running event over a distance of ten kilometers (6.2 miles).

Half marathon: includes a walking/running event of 21.0975 kilometers (13.1094 mi). The half marathon is also known as a 21K, 21.1K or 13.1 miles, although these values are rounded and not formally correct.

Marathon: includes a walking/running event over a distance of 42.195 kilometers (26.219 miles).

Mud Run: includes an event in which participants negotiate a course consisting of various obstacles, many of which are filled or covered with mud.

SECTION 2: APPLICATION AND OTHER PROCEDURES:

- (a) Not less than sixty (60) days before the date on which a race/run/walk event is to be held, any person(s) or representatives of the organized activity shall file an application for a permit with the City Clerk's office.
 - (1) "Person" is any person, firm, partnership, association, corporation, company, or organizations of any kind.
- (b) The application shall be submitted and shall include the following information:
 - (1) The name, address and telephone number of the person seeking to conduct such event;
 - (2) If the event is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization;
 - (3) The name, address and telephone number of the person who will be the event chairman and who will be responsible for its conduct;

- (4) The date when the event is to be conducted;
 - (5) The hours when such event will start and terminate;
 - (6) The time at which persons of the event will begin to assemble at any such assembly area or areas;
 - (7) The location and route of the run/walk event shall be indicated by choosing the approved routes or any other route approved by the City of Pharr.
 - (8) The amount of persons the event is expected to have in attendance on the day of the run/walk.
 - (9) A specific, written description of the preparations made to provide adequate ambulance and medical care during the event and activity;
 - (10) A copy of the general and/or special liability insurance policy and declarations and/or bonds (\$1,000,000.00) covering event and activity personnel, visitors, invitees, and participants.
- (c) Following timely submission of the application and all necessary information, the application shall be subject to review by the following:
- (1) Director or designee of the Department of Public Works;
 - (2) Fire Chief or designee;
 - (3) Chief of Police or designee;
 - (4) City Attorney; and
 - (5) Director of Parks and Recreation.
- (d) The personnel considering the application shall submit to the City Manager a report stating an individual recommendation including approval, denial, conditions, or other fees required for compliance or to reimburse the City for its costs. The City Manager shall be charged with the final decision in consideration of the application.
- (e) An application shall be subject to the following factors:
- (1) Adequacy of the location of the start and finish line.
 - (2) The dates and times of the run/walk event, or whether such event will conflict with a city sponsored or city-wide event;

- (3) The maximum amount of persons the organizers will allow participating in the event;
 - (4) Reasonableness of the plan that will govern any and all clean-up procedures for the entire event that comply with legal and established standards of sanitation and health and prevention;
 - (5) Reasonableness of the plan that will govern any and all fire, smoke, traffic, food preparation and sales, parking, and security hazards and prevention;
 - (6) Reasonableness of the plan that will govern any and all event and activity parking and locations used solely for parking;
 - (7) Reasonableness of the preparations made to provide adequate ambulance and medical care during the event and activity;
 - (8) Adequacy and sufficiency of the general and/or special liability insurance policy and declarations and/or bonds covering the event or, personnel, visitors, invitees, and participants; and
 - (9) The conduct of the event will not likely to cause injury to persons or property, to provide disorderly conduct or create a disturbance.
- (f) Notice of Rejection. Within five (5) business days following the receipt of all the recommendations from the officials referred in subsection (c) hereof, the City Manager shall act upon the application for an event permit and cause the City Clerk, within five (5) business days of his decision, to issue the permit or, if denied, to mail to the applicant a notice stating the reasons for his denial of the permit.
- (g) Appeal Procedure. Any person discontented shall have the right to appeal the denial of an event permit to the City Commission. The appeal shall be taken within three (3) days after denial by filing a notice of appeal with the City Commission. The City Commission shall act upon the appeal at the next regular City Commission meeting which notice requests under state law can be met.
- (h) Alternative Permit. The City Manager, in denying an application for an event permit, shall be empowered to authorize the conduct of the event on a date, at a time, or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within three (3) days after notice of the action of the City Manager, file a written notice of acceptance with the City manager. An alternate event permit shall conform to the requirements of, and shall have the effect of an event permit under this section.
- (i) Contents of Permit. Each event permit shall state the following information:

- (1.) date and starting and ending time;
 - (2.) type of event activity authorized;
 - (3.) special limitations on conditions required;
 - (4.) the starting and ending areas and the portions of the streets to be traversed that may be occupied by the event;
 - (5.) the maximum length of the event in miles thereof;
 - (6.) the name of the event chairperson;
 - (7.) other information as the City Manager shall find necessary to the enforcement of this Ordinance.
- (j) Duties of Permittee. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- (k) Possession of Permit. The event chairperson or other person heading or leading such activity shall carry the event permit upon his person during the conduct of the event.
- (l) Public Conduct During Events.
- (1) Interference. No person shall unreasonably hamper, obstruct or impede, or interfere with any event or event assembly or with any person, vehicle or animal participating or used in an event.
 - (2) No driver of a vehicle shall drive between the vehicles or persons comprising an event when such vehicles or persons are in motion and are conspicuously designated as an event.
 - (3) Parking on Event Route. The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of an event. The Chief of Police may post signs or take other action to notify the public to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.
 - (4) No person shall throw, give or offer any material, candy, pamphlets or any other article as a participant in an event to any spectators viewing such event.

(m)Revocation of Permit. The City Manager shall have the authority to revoke an event permit issued hereunder upon violation of the standards for issuance as herein set forth.

(n) It shall be illegal for any person issued a permit to violate the terms thereof.

SECTION 3: ROUTES FOR RACES-RUNS-WALKS

(a) The following routes are the approved routes available to Organizers: Police Athletic League 5k Route (Exhibit A), Harvest Fest 5k Route (Exhibit B) and the Police Athletic League 10K Route (Exhibit C).

(b) Race/Walks and runs are permitted to be held only on Saturday mornings from 7:30 am until 12:00 pm.

(c) There shall be no more than three (3) events between January 1 and the weekend prior to Memorial Day weekend, no more than two (2) events between June and August, and no more than three (3) events between the weekend after Labor Day and the weekend before Thanksgiving each year.

(d) No vehicular races shall be permitted.

(e) Events which include multiple modes of travel (e.g., walking, running and bicycling) shall be permitted so long as the start times for different modes of travel are staggered.

(f) Prior to the issuance of a Community Event Permit, City staff shall determine the specific portions or lanes of the roadway that may be used by the participants. This determination shall be based on safety considerations and the preservation of access to businesses and other scheduled activities along the route.

(g) In addition to the routes established by subsection (a) of this Section, races/walks/runs may be permitted on other streets in the City so long as the majority of the race/walk/run occurs outside of the City and that portion of the race/walk/run within the City does not exceed one-half mile in length. Races permitted pursuant to this subsection (g) shall not be subject to the time/frequency requirements established in subsections (b) and (c) of this Section.

(h) Run/walk or race events are not permitted on the weekend that the City designates to host its annual events unless approved otherwise by City Commission.

SECTION 4: FEES

- (a) The application shall be submitted along with a non-refundable application fee made payable to the City of Pharr in the amount of \$500.00 dollars including the information as described in Section 2, subsection (b).
- (b) The \$500 dollar non-refundable application fee shall not apply to a public school, parochial school, charter school, non-profit organization, or church event.

SECTION 5: PROHIBITION; CONSPIRACY TO CIRCUMVENT; EXCEPTIONS:

- (a) It shall be unlawful for any person seeking an application to submit false information or materials. It shall also be unlawful to conduct an event or activity without having received final, written approval and necessary permits from the City of Pharr in accordance herewith.
- (b) It shall also be unlawful to knowingly conspire to circumvent this ordinance by allowing the unauthorized use, transfer, or possession of a permit, license, or other authorization or agreement.
- (c) This Ordinance shall not apply to an event contracted or sponsored by the City of Pharr.

SECTION 6: ENFORCEMENT; PUNISHMENT; PENALTIES:

- (a) Should any person or business violate the prohibitions contained herein, or allow the commission of any act or condition that proximately resulted in a violation of this ordinance, the City Attorney may take any action to enforce this or any ordinance to prevent and summarily abate the action and remove or seize any objects used to violate this ordinance. These actions may also include but not be limited to allowing for municipal resources and personnel to: abate any premises or property, closure, condemn, remove any person or thing, court action, suspend, cancel, or void any license or permit issued by the City of Pharr or a state or federal agency, and any and all other relief as may be necessary.
- (b) Any violation of this Ordinance shall be subject to both civil and criminal penalties. A criminal conviction shall be a Class C misdemeanor. A violator shall also be subject to the maximum penalties allowed by law for failing to appear in Court when charged with an offense as described herein. If conduct constituting an offense under this ordinance also constitutes an offense under another law, the person may be prosecuted under all applicable laws.
- (c) A liable party shall be subject to a civil penalty up to \$1,000 per violation, or the maximum allowed by law.

SECTION 7: REPEAL OF CONFLICTING ORDINANCES: This Ordinance shall incorporate herein all other ordinances and those that exist in the Pharr Code of Ordinances related to similar events. Any ordinance in direct conflict with this Ordinance is repealed to the extent of the conflict, and this Ordinance shall supersede any provisions in conflict herewith. All other provisions of the above described ordinance shall remain in full force and effect.

SECTION 8: SEVERABILITY: If any section, part of provisions of this Ordinance is declared unconstitutional or invalid, such declaration shall not affect the validity of the remaining sections, parts or provision of this Ordinance.

SECTION 9: PUBLICATION AND EFFECTIVE DATE: The Ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication may also be in caption form as allowed under Section 9 of the Pharr City Charter.

PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the _____ day of _____, 20____.

CITY OF PHARR, TEXAS

Ambrosio "Amos" Hernandez
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the _____ day of _____, 20____.

CITY OF PHARR, TEXAS

Ambrosio "Amos" Hernandez
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED THE THIRD READING BY THE BOARD OF CITY
COMMISSIONERS OF THE CITY OF PHARR, TEXAS on this the _____ day of
_____, 20____.

CITY OF PHARR, TEXAS

Ambrosio "Amos" Hernandez
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

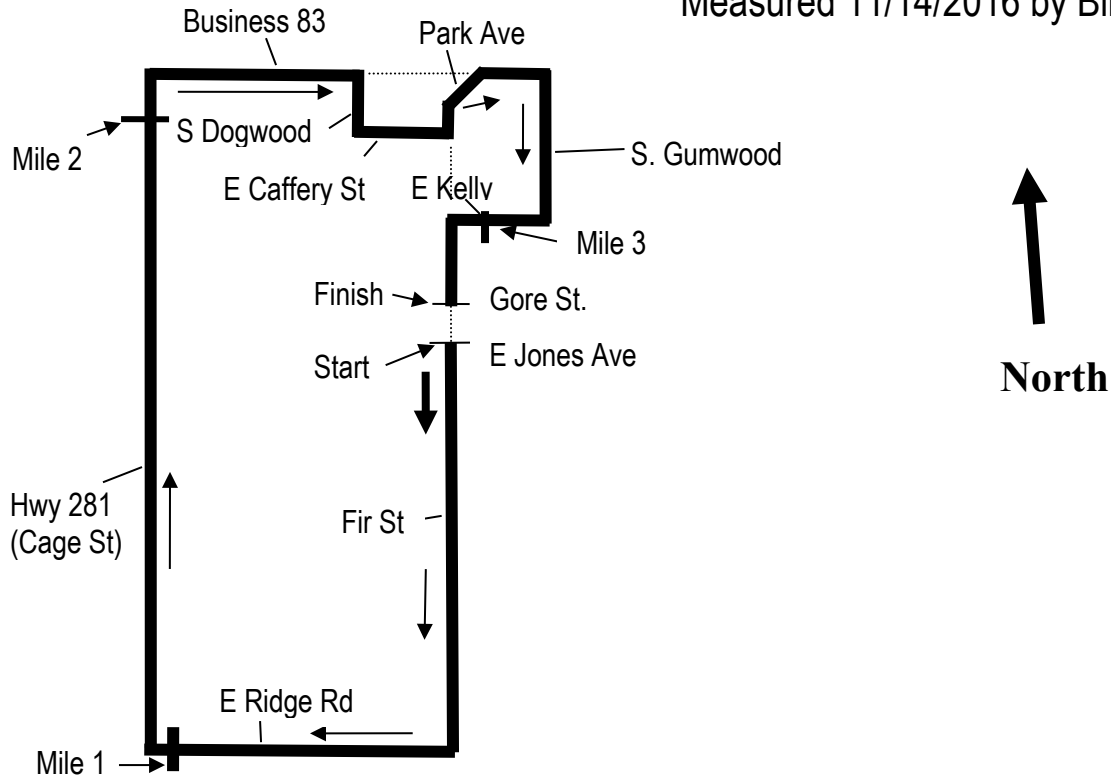
EXHIBIT A

Police Athletic League 5 km Pharr, Texas

Certification Number TX16xxxWG

Effective 12/21/2016 to 12/31/2026

Measured 11/14/2016 by Bill Grass



Start line is 8 ft. North of the Fire Hydrant on Fir St at Jones St. Marked with nail & washer on the West side of the street. $26^{\circ}11'17.91''N$ $98^{\circ}10'37.09''W$

Finish is directly across from STOP sign at Gore and Fir. 8-1/2 feet North of light pole number 262279 at Gore and Fir. Marked with nail & washer on the East side of the street. $26^{\circ}11'21.38''N$ $98^{\circ}10'36.26''W$

Mile 1 West driveway at 105 E Ridge Rd, center of West gate post, $26^{\circ}10'50.07''N$ $98^{\circ}11'5.76''W$

Mile 2 Two sidewalk concrete blocks North of the South edge of the building on the Southeast corner of Cage and Park St. $26^{\circ}11'38.29''N$ $98^{\circ}11'2.47''W$

Mile 3 Two curb sidewalk blocks East of the center of the "HOME" entrance to the stadium. $26^{\circ}11'24.64''N$ $98^{\circ}10'33.14''W$

Course measured using shortest possible paved route.

EXHIBIT B

**Harvest Fest 5K
Certification Number TX09002WG
Corner of Cherokee Ave & N Aster
Pharr, Texas
Cal. Course TX04014WG
Measured by Bill Grass 10/13/09**

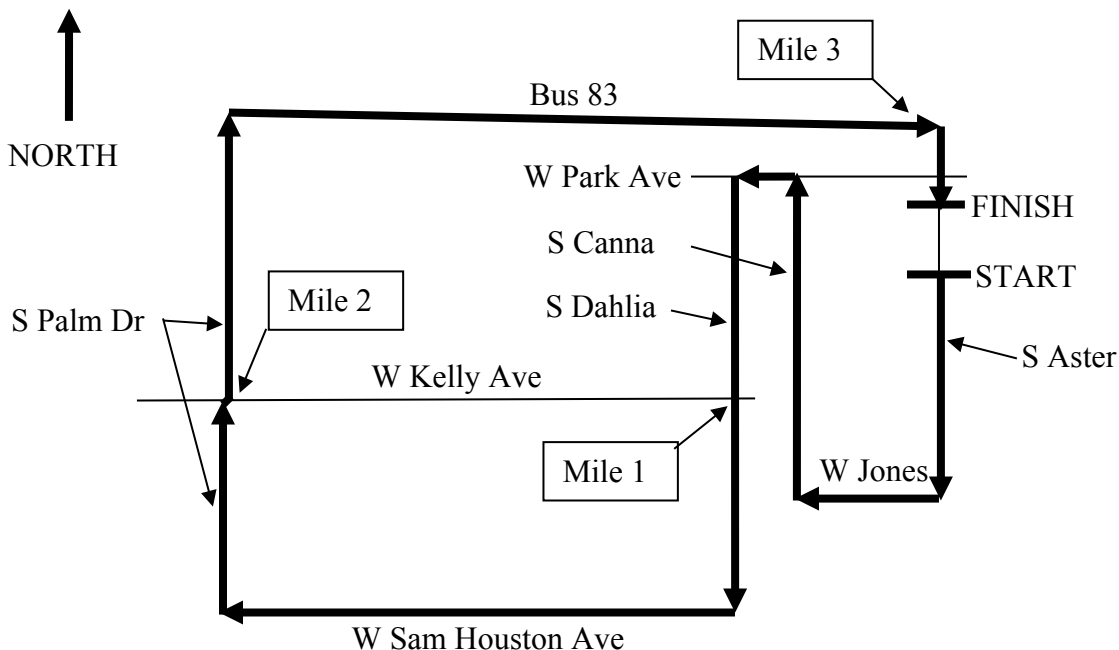
Start - At STOP sign on the Northwest corner of Cherokee & Aster N26 11.557' W98 11.154'

Mile 1 -14 ft South of North edge of the sidewalk on Northeast corner of Kelly & Dahlia N26 11.531' W98 11.409'

Mile 2 – Mid sidewalk at the Northwest corner of Palm & Kelly N26 11.606' W98 11.408'

Mile 3 – 13 ft West of AEP light pole #31, approximately 50 meter West of Aster N26 11.173' W98 11.158'

Finish – 17 ft South of light pole at North edge of alley South of Bus 83 on Aster N26 11.644' W98 11.139'

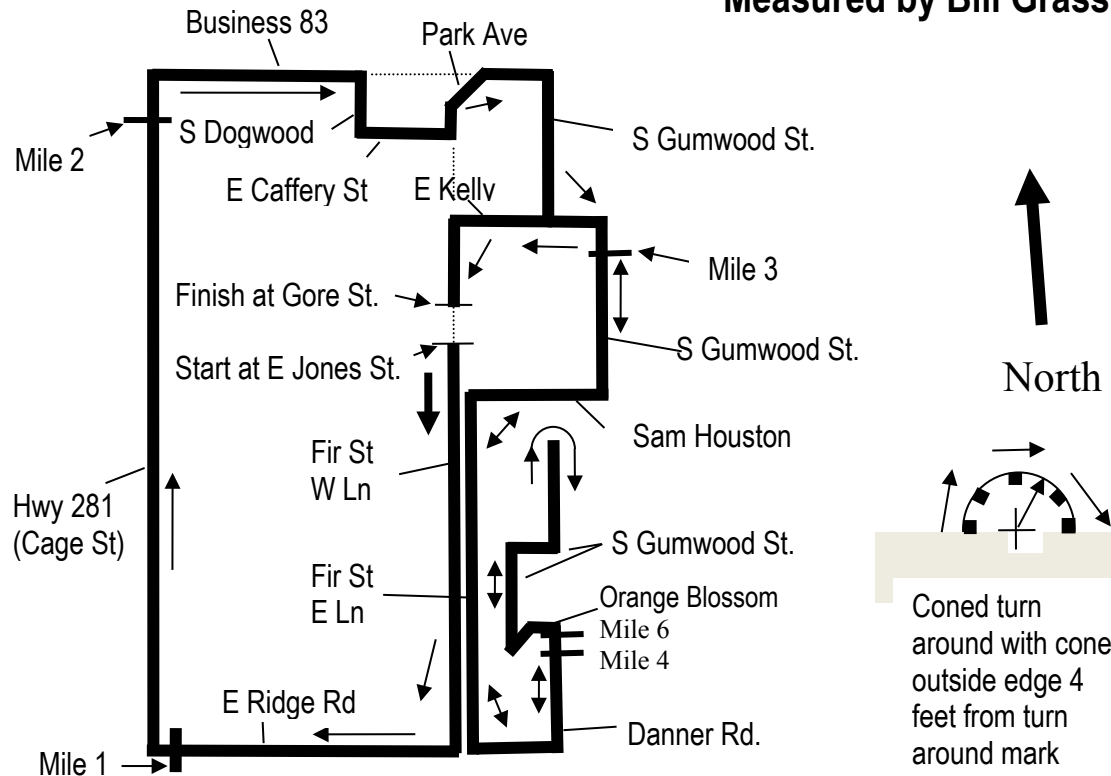


START, FINISH & all miles location are marked with a washer & nail 1 foot from curb.
Measured using full road.

EXHIBIT C

Police Athletic League 10 km Pharr, Texas

Certification Number TX16xxx
Effective 12/21/2016
Valid to 12/31/2026
Measured by Bill Grass



Start line is 8 ft. North of the Fire Hydrant on Fir St at Jones St. Marked with nail & washer on the West side of the street. 26°11'17.91"N 98°10'37.09"W

Mile 1 West driveway at 105 E Ridge Rd, center of West gate post, 26°10'50.07"N 98°11'5.76"W

Mile 2 Two sidewalk concrete blocks North of the South edge of the building on the Southeast corner of Cage and Park St. 26°11'38.29"N 98°11'2.47"W

Mile 3 Even with the 2nd light pole on S Gumwood South of Kelly 26°11'23.35"N 98°10'28.95"W

Mile 4 2 feet North of property line between 2nd and 3rd properties South of Orange Blossom on Danner Rd 26°10'49.95"N 98°10'36.09"W

Turn Around 4 foot radius point, 8 feet 2 inches South of manhole cover on East side Danner just South of E Tarrant Ave 26°11'8.57"N 98°10'32.93"W

Mile 5 Danner Rd just South of Orange Blossom, 6 feet South of light pole #335100 26°10'51.27"N 98°10'35.86"W

Mile 6 15 ½ feet South of South edge of 1st gate South of Kelly on S Gumwood 26°11'22.09"N 98°10'29.15"W

Finish is directly across from STOP sign at Gore and Fir. 8-1/2 feet North of light pole number 262279 at Gore and Fir. Marked with nail & washer on the East side of the street. 26°11'21.38"N 98°10'36.26"W



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.B.

DATE SUBMITTED: April 28, 2017

MEETING DATE: May 1, 2017

FROM: Edward Wylie, Assistant City Manager

DEPARTMENT: Administration

DIRECTOR: Edward Wylie

Agenda Item: Consideration and action, if any, on Ordinance amending Appendix "A", Article X. by adding Sect. 1.87.1 - "Rules of Procedure for Appeals of Municipal Apportionment of Infrastructure Costs".

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: There is currently no formal appeal procedure in place. This will formalize a procedure and outline a reasonable procedure to govern such hearings.

Financial Consideration:

Staff Recommendation: Staff recommend approval in one emergency reading

Alternatives:

ROUTING:

Edward Wylie
City Management Office

Created/Initiated - 04/28/2017
Final Approval - 04/28/2017

ORDINANCE NO: O-2017-__

AN ORDINANCE OF THE CITY OF PHARR, TEXAS, AMENDING APPENDIX “A” ZONING, ARTICLE X. ADMINISTRATIVE PROVISION, OF THE CODE OF ORDINANCES BY ADDING SECTION 1.87.1, “RULES OF PROCEDURE FOR APPEALS OF MUNICIPAL APPORTIONMENT OF INFRASTRUCTURE COSTS”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 212.904 of the Texas Government Code provides that if a developer disputes the determination made by the municipality under Section 212.904(a) an appeal may be requested; and

WHEREAS, said developer may appeal to the governing body; and

WHEREAS, the City should adopt such reasonable procedures to govern such hearings; and

WHEREAS, the City of Pharr Board of Commissioners has determined it necessary to adopt rules of procedure for appeals to the council of municipal infrastructure cost apportionment determinations and to provide for its codification in Appendix “A” Zoning, Article X., Sec. 1.87.1; and

WHEREAS, because there were no rules of procedure for appeals under Section 212.904, the City of Pharr Board of Commissioners finds it in the best interest of the City that this ordinance be applied retroactively.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:

SECTION 1: That Appendix “A”, Article X. of the Code of Ordinances be, and the same is, hereby amended by adding Section 1.87.1 “Rules of Procedure for Appeals of Municipal Apportionment of Infrastructure Costs,” which shall read as follows:

ARTICLE X. ADMINISTRATIVE PROVISIONS

Sec. 1.87.1. Rules of Procedure for Appeals of Municipal Apportionment of Infrastructure Costs

1.87.1a. *Purpose.* The purpose of these rules is to govern the procedures of an appeal for a property development project by a developer of its costs of municipal infrastructure improvements as provided by state law.

1.87.1b. *Appeal.*

- A. In the event that a developer disputes the determination of the City for its costs of municipal infrastructure improvements for a property development project, it must file a written appeal with the City Secretary within ten (10) days after the date the Planning and Zoning Commission approves the Preliminary Subdivision Plan. The developer shall not be required to waive the right to appeal as a condition of approval of the development project.
- B. A written appeal shall set forth the infrastructure improvements, charges or costs of the municipal infrastructure improvements the developer seeks to contest.
- C. The City shall set a hearing within 30 days' of written notice of appeal, or as otherwise agreed to in writing, by the City and Developer.
- D. Failure of the developer to appear on the scheduled date and time at the appeal hearing before the City Council shall be grounds for dismissal. Further appeal shall be barred.

1.87.1c. *Standards for City Council evaluation of the contested infrastructure cost apportionment.* The developer shall bear the burden of proof to demonstrate that the City's municipal infrastructure cost apportionment determination is not roughly proportionate. The party appealing to City Council shall have the burden of first presenting evidence as provided by these rules. The City Council shall evaluate the contested infrastructure cost apportionment determination under the following standards:

- 1. Does the infrastructure cost apportionment determination relate to the needs created by the property development project?
- 2. Is the infrastructure cost apportionment determination roughly proportionate to the impact of the property development project?

1.87.1d. *Procedural rules.* The following procedural rules shall apply to appeals under this ordinance and shall apply retroactively to any appeal under Section 212.904:

- 1. *Opening of the Hearing.* The presiding officer of the council shall call the agenda item and open the hearing. The developer and the City may opt to have all or portions of the hearing conducted by a representative.
- 2. *Developer's presentation.*
 - a. The developer shall present written evidence and oral or written testimony regarding the infrastructure administrative apportionment determination to the Council.
 - b. If more than one apportionment determination is being contested by the developer, the developer shall present as part of his

presentation an enumerated list of contested apportionment determinations.

- c. The developer may present oral testimony, written document, or both during the presentation of evidence and testimony.
 - d. If the developer wishes to introduce written documentation, it must be provided to the City Secretary no later than seven (7) calendar days in advance of the hearing to ensure that council members have time to review the material prior to the appeal hearing.
 - e. If the developer wishes to introduce expert testimony, it must file the expert's written testimony no later than seven (7) days prior to the appeal hearing.
3. Council examination/clarification of developers' presentation. Following the developer's presentation, the council may ask questions of the developer, and the developer's witnesses and representatives.
 4. City presentation. City staff, witnesses, and representatives may offer evidence and testimony regarding the apportionment determination or other relevant issue raised by the developer during his presentation or as directed by City Council.
 5. Council examination/clarification of City's presentation. The council may question the City staff, witnesses, or representatives regarding the apportionment determination or other relevant issues raised in the presentations.
 6. Developer's cross-examination of City witnesses and rebuttal. The developer may question or cross-examine the City staff, witnesses, or representatives regarding the apportionment determination, the disputed issues raised by the developer, and any other area of testimony or evidence they addressed in their presentation or in response to council examination. The developer may also introduce rebuttal evidence during this stage of the proceeding.
 7. Council re-examination/clarification. The council may conduct further questioning of any previously called witness or seek any further explanation on any issue raised in the hearing.
 8. Developer re-cross and closing statement. Following the conclusion of the City Council's re-examination, the developer shall be given the option to conduct further questioning or cross-examination of any previously called witness. The developer shall also be given the opportunity to make a brief summation of his arguments or a closing statement.
 9. Closure and timetable for decision. Upon conclusion of the developer's case, the presiding officer shall inquire whether the developer has

submitted all the evidence and testimony he wishes the council to consider. If the developer indicates all evidence and testimony has been submitted, the council shall issue a determination within thirty (30) days of the conclusion of the hearing.

1.87.1e. *Council authority.* The council shall, upon 3/4 vote, have the authority to affirm or overturn the findings of the City staff in making the infrastructure apportionment determination in whole or in part, and may make or modify an award or refund to the developer in order to confirm with the standards of rough proportionality set forth in Texas Local Government Code Section 212.904, and the standards set forth in x-x-x(purpose), *supra*.

SECTION 2: Repealing Clause.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3: Severability Clause.

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

SECTION 4: Publication; Effective Date.

The importance of the subject matter of this Ordinance creates an emergency and an imperative public necessity requiring the suspension of the provision of the City Charter of the City of Pharr, Texas, that no Ordinance shall be Passed until it has been read on three (3) separate days and such provision of the City Charter is hereby suspended and said requirement dispensed with a majority of all members of the City Commission.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of April, 2017, A. D.

CITY OF PHARR

AMBROSIO HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.C.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Imelda Barrera, Assistant City Clerk

DEPARTMENT: Administration

DIRECTOR: Edward Wylie

Agenda Item: Consideration and action, if any, on Resolution appointing five (5) regular members to the South Pharr Outreach Library Board.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The Board of Commissioners on November 20, 2001 by ordinance created a South Pharr Outreach Library Board, this board is currently inactive and we are currently wishing to make board active. Therefore, we are requesting to appoint five (5) regular members.

Financial Consideration: None.

Staff Recommendation: Approval of making board active and appointment of five (5) regular members.

Alternatives: None.

ROUTING:

Imelda Barrera
City Management Office

Created/Initiated - 04/25/2017
Final Approval - 04/25/2017

STATE OF TEXAS §
COUNTY OF HIDALGO §
CITY OF PHARR §

R E S O L U T I O N
NO: R-2017-__

WHEREAS, the Board of Commissioners has created and appointed a South Pharr Outreach Library Board composed of five (5) members who shall be residents of the South Pharr; and

WHEREAS, the Board of Commissioners on November 20, 2001 by ordinance created a South Pharr Outreach Library Board. Terms of members of the Board shall be for (3) three years; however, two of the initial members shall serve two-year terms, the other three year terms; and

WHEREAS, The South Pharr Outreach Library Board shall have the power and shall be required to: a) Action and advisory capacity in all matters pertaining to the Research and Development Center; b) Consider the annual budget of the Research and Development Center programs and make recommendations with respect thereto to the City Manager; c) Assist in the planning of programs, promote and stimulate public interest in such programs; d) Any other duties as set forth by the Board of Commissioners; and

WHEREAS, appointment of five (5) regular members is needed at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, THAT: the following residents of the City of Pharr are hereby appointed.

NAME:	LENGTH OF TERM:
1.	Three Years
2.	Three Years
3.	Three Years
4.	Two Years
5.	Two Years

READ, PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 1st day of May, 2017.

CITY OF PHARR

AMBROSIO HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.D.

DATE SUBMITTED: April 26, 2017

MEETING DATE: May 1, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Edward Wylie

Agenda Item: Consideration and action, if any, on Resolution concerning AEP request for approval of a Distribution Cost Recovery Factor.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: AEP Texas filed a application for approval of a Distribution Cost Recovery Factor seeking and increase in distribution revenues of \$28,010,174.00 with the Public Utilities Commission. Most cities in Texas are opposing the increase to residents. The Public Utilities Commission allows cities up to 60 days to act on the application. The deadline is June 2, 2017/
The provided resolution is to Deny the application by AEP Texas.

Financial Consideration:

Staff Recommendation: Staff recommend to Deny AEP request and approved the attached resolution.

Alternatives:

ROUTING:

Hilda Pedraza
Patricia Rigney
City Management Office

Created/Initiated - 04/26/2017
Approved - 04/26/2017
Final Approval - 04/26/2017

RESOLUTION NO. R-2017-_____

A RESOLUTION OF THE CITY OF PHARR, TEXAS FINDING THAT AEP TEXAS INC.'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

WHEREAS, the City of Pharr, Texas ("City") is an electric utility customer of AEP Texas Inc. ("AEP" or "Company"), and a regulatory authority with an interest in the rates and charges of AEP; and

WHEREAS, the City is a member of the Cities Served by AEP ("Cities"), a membership of similarly situated cities served by AEP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in AEP's service area; and

WHEREAS, on or about April 3, 2017 AEP filed with the City an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 47015, seeking to increase electric distribution rates by \$28,010,174 (\$21,365,072 for the Central Division and \$6,645,102 for the North Division); and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, Cities are coordinating its review of AEP's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, Cities members and attorneys recommend that members deny the DCRF.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PHARR, TEXAS:

Section 1. That the City is authorized to participate with Cities in PUC Docket No. 47015.

Section 2. That subject to the right to terminate employment at any time, the City of Pharr hereby authorizes the hiring of the law firm of Lloyd Gosselink and

consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the rates proposed by AEP to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 4. That the Company shall continue to charge its existing rates to customers within the City.

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by AEP within 30 days of presentation of an invoice to AEP.

Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 7. That a copy of this Resolution shall be sent to Melissa Gage, American Electric Power Service Corporation, 400 West 15th Street, Suite 1520, Austin, Texas 78701 and to Thomas Brocato, General Counsel to the Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED this _____ day of _____, 2017.

CITY OF PHARR

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 7.A.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Javier Gonzalez, Assistant Police Chief

DEPARTMENT: Police

DIRECTOR: Ruben Villegas

Agenda Item: Consideration and action, if any, ratifying Memorandum of Agreement for Social Work Field Education from University of Texas Rio Grande Valley.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

The Pharr Police Department is being asked to host a student from The University of Texas Rio Grande Valley to complete an internship with our First Offender Program. The student would be working on her Masters of Social Work Degree. The university has forwarded us a Memorandum of Agreement that needs to be approved prior to the Internship. Legal has reviewed the agreement.

Financial Consideration:

The City of Pharr will not incur any cost.

Staff Recommendation: Staff recommend the approval of the Pharr Police Chief Ruben Villegas entering the Memorandum of Agreement with The University of Texas Rio Grande Valley

Alternatives:

ROUTING:

Javier Gonzalez

Created/Initiated - 04/25/2017

Ruben Villegas

Approved - 04/25/2017

Patricia Rigney

Approved - 04/25/2017

City Management Office

Final Approval - 04/25/2017

COLLEGE OF HEALTH AFFAIRS

PROGRAM AGREEMENT

(Education Experience)

Recitals

- A. The University of Texas Rio Grande Valley (“University”) and _City of Pharr_____ (“Facility”) have executed an Affiliation Agreement effective on _05-01-2017_____; and
- B. University and Facility desire to implement the provisions of such Affiliation Agreement by providing students enrolled in University’s programs within the College of Health Affairs with educational experience utilizing the personnel, equipment, and facilities of Facility.

Agreement

NOW THEREFORE, subject to the terms, conditions, and provisions of such Affiliation Agreement, the parties agree as follows:

- 1. PROGRAM.** Facility Liaison and University Representative will design an educational experience in Social Work, Communication Sciences and Disorders, Clinical Laboratory Science (medical technology), Rehabilitative Services, Dietetics, Nursing, Occupational Therapy, Physician Assistant Studies, Pharmacy, Biomedical Sciences, Exercise Science, Health, Health Services Technology, or Kinesiology, (“Program”) for University students utilizing the personnel, equipment, and facilities of Facility.
 - a. The duration of the Program and the educational experience provided will be consistent with the curriculum requirements of University and with the standards of the accrediting entity for the school or division of University in which the students are enrolled.
 - b. The Program will be reviewed periodically by the Facility Liaison and University Representative and, when appropriate, will be revised to meet the University curriculum requirements and the standards of the accrediting entity.
 - c. The educational experience for students in the Program will be an integral part of the services provided by Facility and students will be under the direct supervision of University personnel or Facility personnel who are licensed or otherwise qualified to perform such services.
- 2. UNIVERSITY OBLIGATIONS.**
 - a. Assure that all students selected for participation in Program have satisfactorily completed all portions of the University curriculum that are a prerequisite for participation in the Program.

- b. Develop criteria for the evaluation of the performance of University students participating in the Program and provide those criteria, with appropriate reporting forms, to the Facility personnel and University personnel who are responsible for supervising those students.
- c. Assign grades to students participating in the Program on the basis of the performance evaluations submitted in the reporting forms.
- d. Inform all University students and personnel participating in the Program that they are required to comply with the rules and regulations of Facility while on premises of Facility and to comply with the requirements of federal and state laws and regulations regarding the confidentiality of information in records maintained by Facility.
- e. Provide information requested by Facility related to students participating in the Program unless prohibited by federal or state law.
- f. Remove a student from the Program when the Facility determines that the student has violated the rules and regulations of the Facility; has disclosed information that is confidential by law; or has engaged in conduct that disrupts the activities carried on by the Facility or threatens the safety of Facility personnel or patients.

3. FACILITY OBLIGATIONS.

- a. Assign appropriate space on Facility premises for offices, lectures, and other non-experience related activities of the Program.
- b. Provide the equipment, supplies, qualified personnel, and supervised access to patients or clients required for the experience related activities of the Program.
- c. Obtain and maintain all licenses required for Facility and assure that all Facility personnel are appropriately licensed.
- d. Assume sole responsibility for the quality of patient or client care.
- e. Provide orientation sessions to inform University students and personnel concerning the rules and regulations of Facility.
- f. Permit representatives of the accrediting entity for the school or division of University in which students participating in the Program are enrolled to have reasonable access to premises of Facility for purposes related to the accreditation process.

4. GENERAL PROVISIONS.

- a. University students and personnel will be responsible for their own transportation, meals, and health care while participating in the Program.

- b. This Program Agreement and the Affiliation Agreement constitute the entire agreements between the parties with respect to the subject matter and no prior or contemporaneous agreement, written or oral, will be effective to vary the terms of those Agreements. No amendment to this Program Agreement shall be effective unless reduced to writing and signed by an authorized representative of each party.
- c. University and Facility will comply with all applicable federal, state, and local laws, ordinances, and regulations in the performance of this Program Agreement.
- d. The Program and all related activities shall be conducted in a manner that does not discriminate against any person on a basis prohibited by applicable law, including but not limited to: race, color, national origin, religion, sex, age, veteran status, or disability.
- e. The initial Program shall begin on _____ and end on with a (30) days written notice. Subsequent Programs shall begin and end on dates determined by written agreement of Facility Liaison and University Representative. Either party may terminate this Program Agreement effective with the end of a Program by giving thirty (30) days written notice to the other party; otherwise this Program Agreement will terminate upon the termination of the Affiliation Agreement between the parties.

UNIVERSITY:

FACILITY:

By: _____
Rick Anderson
Executive Vice President for Finance and
Administration
(Name and Title)

By: _____

(Name and Title)

Date: _____

Date: _____

EDUCATIONAL EXPERIENCE AFFILIATION AGREEMENT

THIS AGREEMENT, effective the 1st ____ day of _May____, 2017__, is between The University of Texas Rio Grande Valley, ("University"), a component institution of The University of ____ Texas ____ System, ____ ("System"), ____ and ____ City ____ of Pharr____ ("Facility"), a _Local Government____ having its principal office at __118 South Cage____, State of __Texas____.

Recitals

- A. Facility operates facilities located at __1900 South Cage____ in the City of __Pharr____, State of _Texas____, and therein provides __Social____ services.
- B. University provides academic courses with respect to and periodically desires to provide students in such courses with educational experience by utilizing appropriate facilities and personnel of third parties ("Program").
- C. Facility desires to cooperate with University to establish and implement from time to time one or more Programs involving the students and personnel of University and the facilities and personnel of Facility.

Agreement

NOW, THEREFORE, in consideration of the mutual promises herein, University and Facility agree that any Program established and implemented by Facility and University during the term of this Agreement shall be covered by and subject to the following terms and conditions.

- 1. **PROGRAM AGREEMENT.** To become effective, all agreements with respect to a Program ("Program Agreement") shall be reduced to writing, executed by authorized representatives of Facility and University.
- 2. **CONFLICT.** In the event of conflict between the text of a Program Agreement and the text of this Agreement, this Agreement shall govern.
- 3. **AMENDMENT OF PROGRAM AGREEMENT.** No amendment to a Program Agreement shall be effective unless reduced to writing, executed by the authorized representatives of Facility and University.
- 4. **RESPONSIBILITY OF FACILITY.** Except for acts to be performed by University pursuant to the provisions of this Agreement, Facility will furnish the premises, personnel, services, and all other items necessary for the educational experience specified in the Program Agreement. In connection with such Program, Facility will:

- a. comply with all applicable federal, state, and municipal laws, ordinances, rules, and regulations; comply with all applicable requirements of any accreditation authority; and certify such compliance upon request by University;
- b. permit the authority responsible for accreditation of University's curriculum to inspect the facilities, services, and other items provided by Facility for purposes of the educational experience; and
- c. appoint a person to serve for Facility as liaison ("Facility Liaison") by the following procedure:
 - (1) Facility shall submit to University the name and professional and academic credentials of the person proposed as Facility Liaison in writing at least 30 days prior to the date the appointment is to become effective.
 - (2) University shall notify Facility of University's approval or disapproval of such person within 10 days after receipt of such notice.
 - (3) No person shall act as Facility Liaison without the prior written approval of University.
 - (4) In the event the Facility Liaison approved by University later becomes unacceptable and University so notifies Facility in writing, Facility will appoint another person in accordance with the procedure outlined in this paragraph 4.c.

5. RESPONSIBILITIES OF UNIVERSITY. University will:

- a. furnish Facility with the names of the students assigned by University to participate in the Program;
- b. assign only those students who have satisfactorily completed those portions of University curriculum that are prerequisite to Program participation; and
- c. designate a member of the University faculty ("University Representative") to coordinate the educational experience of students participating in the Program with the Facility Liaison. University shall give Facility written notice of the name of the University Representative.

6. NOTICES. All notices under this Agreement or a Program Agreement shall be in writing and delivered either by personal delivery or by United States certified mail, return receipt requested. Such notices shall be deemed given when received by such party's designated representative.

7. ORAL REPRESENTATIONS. No oral representations of any officer, agent, or employee of Facility, University, or System shall affect or modify any obligations of either party under this Agreement or any Program Agreement.

8. **AMENDMENT TO AGREEMENT.** No amendment to this Agreement shall be valid unless reduced to writing, signed by an authorized representative of each party.
9. **ASSIGNMENT.** Neither this Agreement nor a Program Agreement may be assigned by either party without prior written approval of the other party.
10. **PERFORMANCE.** A delay in or failure of performance of either party that is caused by occurrences beyond the control of either party shall not constitute default hereunder, or give rise to any claim for damages.
11. **TERM AND EFFECTIVE DATE.** This Agreement shall continue in effect for an initial period ending one (1) year after the date and year stated in the first paragraph ("Term"). After such initial Term, this Agreement shall continue from year to year unless one party shall give the other 180 days prior written notice of intention to terminate. If such notice is given, this Agreement shall terminate: (a) at the end of such 180 days; or (b) when all students enrolled in the Program at the time such notice is given have completed their respective courses of study under the Program, whichever event occurs last.
12. **APPLICABLE LAW.** The validity, interpretation, performance, and enforcement of this Agreement and any Program Agreement shall be governed by the laws of the State of Texas.
13. **FERPA.** For purposes of this Agreement, pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), the University hereby designates the Facility as a school official with a legitimate educational interest in the educational records of the Students who participate in the Program to the extent that access to the records are required by the Facility to carry out the Program. Facility agrees to maintain the confidentiality of the educational records in accordance with the provisions of FERPA.
14. **INDEMNIFICATION.** To the extent authorized under the Constitution and laws of the State of Texas, University shall hold Facility harmless from liability resulting from University's acts or omissions within the terms of this Agreement; provided, however, University shall not hold Facility harmless from any claims, demands, or causes of action arising in favor of any person or entity resulting directly or indirectly from negligence (whether sole, joint, concurring, or otherwise) of Facility, its officers, agents, representatives, or employees, or any person or entity not subject to University's supervision or control.
15. **HIPAA.** The parties agree that:
 - a. the Facility is a covered entity for purposes of the Health Insurance Portability and Accountability Act of 1996, of 1996 as amended by the Health Information Technology for Economic and Clinical Health (HITECH) Act and the Privacy, Security and Breach Notification Regulations at 45 CFR §§ 160 and 164 (hereinafter collectively, "HIPAA") and subject to 45 CFR Parts 160 and 164 ("the HIPAA Administrative Simplification Regulations");

- b. to the extent that University students are participating in the Program [and University faculty members are providing supervision at the Facility as part of the Program], such students [and faculty members] shall:
- (1) be considered part of the Facility's workforce for HIPAA compliance purposes in accordance with 45 CFR §160.103, but shall not be construed to be employees of the Facility;
 - (2) receive training by the Facility on, and subject to compliance with, all of Facility's privacy policies adopted pursuant to the HIPAA Privacy Regulations; and
 - (3) not disclose any Protected Health Information, as that term is defined by 45 CFR §160.103, to University which a student accessed through Program participation [or a faculty member accessed through the provision of supervision at the Facility] that has not first been de-identified as provided in 45 CFR §164.514(a);
- c. University will never access or request to access any Protected Health Information held or collected by or on behalf of the Facility, from a student [or faculty member] who is acting as a part of the Facility's workforce as set forth in paragraph 15.b. of this Agreement or any other source, that has not first been de-identified as provided in 45 CFR §164.514(a); and
- d. no services are being provided to the Facility by the University pursuant to this Agreement and therefore this Agreement does not create a "business associate" relationship as that term is defined in 45 CFR §160.103.

UNIVERSITY:

FACILITY:

By: _____
Rick Anderson
Executive Vice President for Finance and
Administration
(Name and Title)

By: _____

(Name and Title)

Date: _____

Date: _____



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 7.B.

DATE SUBMITTED: April 26, 2017

MEETING DATE: May 1, 2017

FROM: Edward Wylie, Assistant City Manager

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: Consideration and action, if any, on award of contract for Energy Consulting Services. (Bid No. 1617-01-510-0023)

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The City of Pharr went out for Request for Qualifications for Energy Consulting Services in order to get the City of Pharr the best rate per kilowatt. 5 RFQ proposals were received. Staff reviewed the proposals and is recommending Marco A. Arredondo, Inc. be awarded the 2 year contract.

Financial Consideration: Compensation will be negotiated and will be paid from the energy savings.

Staff Recommendation: Staff recommends to award the contract to Marco A. Arredondo, Inc.

Alternatives:

ROUTING:

Edward Wylie
Karla Moya
Patricia Rigney
City Management Office

Created/Initiated - 04/26/2017
Approved - 04/28/2017
Approved - 04/28/2017
Final Approval - 04/28/2017

Request for Qualifications

Energy Consulting Services

1. Experience – 50 points
 - a. Experience in negotiating electricity contracts for counties, cities, schools other entities with at least 15,000,000 kwh load; identify the entities you have done this business for.
2. Capacity to perform – 30 points
 - a. Consultant should have a proven record in providing competitive assessment and procurement advisory services for the procurement of electricity.
 - b. Provide resumes on key personnel that have more than 3 years' experience working in deregulated energy markets.
 - c. Identification of who will be assigned to the City's account; include the qualifications; agree to notify the City of any changes.
 - d. List of 3 references with contact information where the proposed consultant has assisted in obtaining a retail electricity contract.
3. Knowledge of rules, regulations, codes and other information – 10 points
 - a. Knowledge of utility rate schedules, TDSP tariffs.
 - b. Provide written information communicating your knowledge of rules, regulations, codes and other information.
4. Understanding and capacity to bring suggestions and ideas for energy saving within the City energy use – 10 points
 - a. Identify some of the more traditional savings efforts you can coordinate with City.

	Experience	Capacity	Knowledge	Understanding	Total
Amerex Brokers, LLC	30	20	5	5	60
Texas Coalition	50	30	5	5	90
Marco Arredondo, Inc.	50	25	10	10	95
Thomas Engineering, Inc.	30	25	10	5	70
L5E, LLC	40	20	10	10	80

Request for Qualifications Energy Consulting Services

1. Experience – 50 points
 - a. Experience in negotiating electricity contracts for counties, cities, schools other entities with at least 15,000,000 kwh load; identify the entities you have done this business for.

2. Capacity to perform – 30 points
 - a. Consultant should have a proven record in providing competitive assessment and procurement advisory services for the procurement of electricity.
 - b. Provide resumes on key personnel that have more than 3 years' experience working in deregulated energy markets.
 - c. Identification of who will be assigned to the City's account; include the qualifications; agree to notify the City of any changes.
 - d. List of 3 references with contact information where the proposed consultant has assisted in obtaining a retail electricity contract.

3. Knowledge of rules, regulations, codes and other information – 10 points
 - a. Knowledge of utility rate schedules, TDSP tariffs.
 - b. Provide written information communicating your knowledge of rules, regulations, codes and other information.

4. Understanding and capacity to bring suggestions and ideas for energy saving within the City energy use – 10 points
 - a. Identify some of the more traditional savings efforts you can coordinate with City.

	Experience	Capacity	Knowledge	Understanding	Total
Amerex Brokers, LLC	35	20	5	5	65
Texas Coalition	45	30	5	5	85
Marco Arredondo, Inc.	45	25	10	10	90
Thomas Engineering, Inc.	35	20	10	5	70
L5E, LLC	40	25	10	10	85



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 7.C.

DATE SUBMITTED: April 26, 2017

MEETING DATE: May 1, 2017

FROM: Maria Rangel, Engineer in Training

DEPARTMENT: Engineering

DIRECTOR: Omar Anzaldua

Agenda Item: Consideration and action, if any, on award of contract for the Jones Box Park Landscape and Irrigation Improvements. (Bid No. 1617-01-528-0028)

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The proposed landscape and irrigation improvements at Jones Box Park will add trees and extend irrigation to the sports fields that are currently under construction.

On April 20, 2017, formal bids were opened, with three (3) respondents to the solicitation. The bids received ranged from \$ 68,725.00 to \$102,000 for the base bid. The bid proposal also included two alternate bid items.

Financial Consideration: Funds from the Community Development Block Grant have been set aside for the landscape and irrigation improvements.

Staff Recommendation: Staff recommends award of contract for the Jones Box Park Landscape and Irrigation Improvements to the lowest, responsive and responsible bidder, Southern Landscapes, for the Base Bid and Alternate Number 1 in the aggregate amount of \$ 79,050.00.

Alternatives:

ROUTING:

Maria Rangel
Omar Anzaldua

Created/Initiated - 04/26/2017
Approved - 04/26/2017

Karla Moya
City Management Office

Approved - 04/28/2017
Final Approval - 04/28/2017

HEFFNER DESIGN TEAM, PLLC

BID TABULATION

Jones Box Park – Landscape and Irrigation Improvements

April 25, 2017

Bidder	Base Bid Amount	Alternate No. One Bid Amount	Alternate No. Two Bid Amount	Bid Bond	Certified Check	Addendum No. One	Addendum No. Two
Southern Landscapes	\$68,725.00	\$10,325.00	\$27,144.00	X		X	X
First Choice Lawn Care	\$72,157.14	\$19,717.26	\$15,456.00		X	X	X
G&G Contractors	\$102,000.00	\$12,000.00	\$12,000.00	X		X	X



HEFFNER DESIGN TEAM, PLLC

BID AWARD LETTER OF RECOMMENDATION

Date: April 25, 2017

Attention: Maria L. Rangel
Engineer in Training
City of Pharr
118 S. Cage Blvd., 1st Floor
Pharr, TX 78577

Regarding: Bid Award Letter of Recommendation
Jones Box Park – Landscape and Irrigation Improvements

Ms. Rangel,

We have reviewed the three bids received on April 20th for the Jones Box Park – Landscape and Irrigation Improvement project. Southern Landscapes is the lowest bidder. Please see the attached bid tab.

Based on the information presented in the bid, Southern Landscapes appears capable of performing the work necessary for the project. Therefore, we recommend awarding a contract to Southern Landscapes for the base bid and alternate number one for a combined contract amount of \$79,050.00. This amount aligns with our estimate of \$85,215.00 for the same.

Sincerely,



Andrew T. Heffner, RLA, ASLA





AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.A.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Patricia Rigney, City Attorney

DEPARTMENT: HR

DIRECTOR: Patricia Rigney

Agenda Item: Discussion and possible action on potential litigation.

Classification: Closed Session

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Personnel and Legal Matters

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Patricia Rigney

Anali Alanis

City Management Office

Created/Initiated - 04/25/2017

Approved - 04/25/2017

Final Approval - 04/25/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.B.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Patricia Rigney, City Attorney

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Discussion and action, if any, on letter from CTL Capital concerning electrical substation.

Classification: Closed Session

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Patricia Rigney
City Management Office

Created/Initiated - 04/25/2017
Final Approval - 04/25/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.C.

DATE SUBMITTED: April 25, 2017

MEETING DATE: May 1, 2017

FROM: Patricia Rigney, City Attorney

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Discussion and action, if any, on potential litigation concerning Texas Resource Consultants, LLC.

Classification: Closed Session

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Patricia Rigney
City Management Office

Created/Initiated - 04/25/2017
Final Approval - 04/25/2017