

**MINUTES  
BOARD OF COMMISSIONERS  
REGULAR CALLED MEETING  
TUESDAY, SEPTEMBER 1, 2015 AT 5:00 P.M.  
118 SOUTH CAGE 2<sup>ND</sup> FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Tuesday, September 1, 2015 and following is the record of attendance.

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

**BOARD OF COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Juan G. Guerra, City Manager  
Edward Wylie, Assistant City Manager  
Hilda Pedraza, City Clerk  
Imelda Barrera, Asst. City Clerk  
Raul Garza, CDBG Director  
Karla Moya, Interim Finance Director  
Ruben Villescascas, Police Chief  
Jaime Guzman, Fire Chief  
Frank Marin, Parks & Recreation Dir.  
Roy Garcia, Public Works Director  
David Garza, Public Utilities Director  
Luis Bazan, Director of Operations  
Melanie Cano, Development Services Dir.  
Adolfo Garcia, Library Director  
Gary Rodriguez, Community Affairs Liaison  
Lauro Torres, Assistant IT Director  
Roel Garza, Athletics Director  
Roy S. Garcia, Boggus Ford Events Center  
Rodolfo Martinez, Municipal Judge

**CITY ATTORNEY** Patricia Rigney, City Attorney

**ITEM 1 CALL TO ORDER:**

Mayor Hernandez called the meeting to order at 5:01 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. Carrillo was not present at the time of roll call but arrived at 5:17 p.m.

**B) PLEDGE OF ALLEGIANCE / INVOCATION**

Juan Guerra, City Manager, led in the pledge of allegiance and Comm. Maldonado said the prayer.

**C) PUBLIC COMMENTS. (ORDINANCE NO. O-2015-28)**

Kenneth Fletcher spoke about Costco's chain link fence height and screen, noise barrier, and landscaping violations. He stated the chain link fence was down due to recent storm and only evidence tape was there to keep people from falling down into the

retention pond. Mr. Fletcher also advised he had reported this incident to the Pharr Police Department several times.

Lupe Chavez addressed the board and spoke about how he was supporting Mr. Fletcher's concerns about noise barriers and how he should change his tactics. He also voiced his concern with alleys and weedy lots and asked the Commission to address these issues.

Rey Liscano addressed the board and spoke about beautifying Pharr. He thanked the City for the cleaning of the curbs and stated that the City did a good job. However, he mentioned the cleaning of curbs should be the property owners' responsibility.

**ITEM 2 PROCLAMATIONS:**

**A) PRESENTATION OF PROCLAMATION PROCLAIMING NATIONAL SUICIDE PREVENTION AWARENESS**

Mayor Hernandez read Proclamation proclaiming September 10, 2015 as Suicide Prevention Awareness Day and presented proclamation to Narciso Garcia, PSJA ISD Assistant Superintendent. Mr. Garcia thanked the Commission for the recognition.

**B) PRESENTATION OF PROCLAMATION PROCLAIMING HUNGER ACTION MONTH**

Mayor Hernandez read Proclamation proclaiming September 2015 as Hunger Action Month and presented proclamation to Omar Rodriguez and Romeo Cantu from the RGV Food Bank.

At this time, Juan Guerra, City Manager, stated they would deviate from the agenda and to item 8(A). There was no objection.

**ITEM 8 CONTRACTS/AGREEMENTS:**

**A) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT BETWEEN THE CITY OF PHARR AND HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 FOR DOWNTOWN DRAINAGE IMPROVEMENTS. (ADMINISTRATION)**

Juan Guerra, City Manager, introduced the item and stated Raul Segin, Hidalgo County Drainage District No 1, was available for any questions. There being no questions, he recommended approval.

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

**ITEM 3 CITY MANAGER'S REPORTS:**

- A) City Engineer's Report
- B) City Events of Interest

Juan Guerra, City Manager, stated the City Engineer was out on sick leave but other directors were available for questions.

There being no questions, Juan Guerra, City Manager, reminded the Commission the Business Appreciation Reception would take place on Thursday, September 3, 2015 at 6:30 pm at the Boggus Ford Events Center. He further reported on two upcoming ribbon cutting events on Friday, September 4, 2015.

Juan Guerra, City Manager, reported Your Vision! Pharr 2025 Comprehensive Plan Public Outreach would be held in conjunction with the Pharr Night Out event on

September 5, 2015 and the Fire Fest on October 24, 2015. Mr. Guerra briefly went over upcoming events at the Boggus Ford Events and reported Operation Clean Sweep was scheduled for September 26, 2015. He also reported the Color Me Loco 5K Run would take place on September 19, 2015.

Juan Guerra, City Manager, further reported Finance Department had received an award for the Comprehensive Annual Finance Report for the 7<sup>th</sup> year in a row. He also stated the Library would be having a writing contest that would start September 1<sup>st</sup> and close on September 21<sup>st</sup>, 2015.

**ITEM 4 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) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2012-44 ADDING CHAPTER 11 UNDER CITY OF PHARR PERSONNEL POLICY MANUAL RELATING TO RESTRICTIONS ON NON-PROFESSIONAL EMPLOYEE RELATIONSHIPS (NON-FRATERNIZATION POLICY). (ADMINISTRATION)
- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2015-38, SECTION 3, TO ADD WITTEN PARK. (PAL)
- C) CONSIDERATION AND ACTION, IF ANY, REJECTING BIDS FOR SLUDGE MANAGEMENT FOR WATER TREATMENT PLANT AND WASTEWATER TREATMENT PLANT AND AUTHORIZE CITY MANAGER TO RE-ADVERTISE FOR BIDS. (PUBLIC UTILITIES)
- D) CONSIDERATION AND ACTION ON PLANNING & ZONING CASES:

**Public Hearing:**

1. D&G Saloon, LLC., d/b/a Capitolio Event Center, requested a 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 La Quinta Subdivision, Replat Lots 52-55, Pharr, Hidalgo County, Texas. The properties physical address is 5952 South Cage Boulevard. CUP#150749.
2. Araceli Cabanas, representing Francisco F. Rodriguez, d/b/a Roca Sushi Bar, requested a 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 being 0.06 acres, more or less, out of Lots 23-30, inclusive, Block Two (2), J.T. Doster, Re-Subdivision of Block "B", out of Pharr Original Townsite, Pharr, Hidalgo County, Texas. The properties physical address is 119 East Newcombe Avenue (Park Avenue). CUP#140637

Juan Guerra, City Manager, introduced items 4A through 4D(2) and recommended approval.

Mayor Hernandez opened the public hearing.

Kenneth Fletcher addressed the board and spoke on Item D(1) in regards to possible noise complaints from citizens on new business in south Pharr. He recommended that P&Z visit some of these places and thanked the Commission for the tax decrease.

There being no further public comments, the public hearing was closed.

Comm. Guajardo moved to approve. 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 DESIGNATING THE CITY OF PHARR – TIF REINVESTMENT ZONE #2 (TABLED) (ADMINISTRATION)**

Juan Guerra, City Manager, introduced the item and recommended the item remained tabled.

**B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO SUBMIT GRANT APPLICATION TO THE TEXAS OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE CRIME VICTIMS LIAISON PROJECT (POLICE)**

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

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

Resolution No. R-2015-75 is filed with the City Clerk's Office.

**C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO SUBMIT GRANT APPLICATION TO THE STATE OF TEXAS LOCAL BORDER SECURITY PROGRAM FY 2016 FOR THE SAFEGUARDING THE BORDER PROJECT (POLICE)**

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

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

Resolution No. R-2015-76 is filed with the City Clerk's Office.

**A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) MEMBER TO THE CIVIL SERVICE COMMISSION (ADMINISTRATION)**

Juan Guerra, City Manager, introduced the item.

Comm. Bracamontes moved to appoint Lupe Chavez to the Civil Service Commission. Comm. Guajardo seconded the motion and when put to a vote, it carried by a majority vote of six (6) ayes to one (1) nay. Comm. Elizondo voted against the motion.

Resolution No. R-2015-77 is filed with the City Clerk's Office.

**ITEM 6 ADMINISTRATIVE:**

**A) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD FOR ROAD CLOSURES AND ASSISTANCE FOR THE MARCHING FESTIVAL ON SATURDAY, OCTOBER 10, 2015 AND UIL PIGSKIN JUBILEE ON SATURDAY, OCTOBER 17, 2015 (POLICE)**

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

Comm. Carrillo 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, AWARDING BID FOR SUPPLY CONTRACT FOR CHLORINE (PUBLIC UTILITIES)**

Juan Guerra, City Manager, introduced the item.

Comm. Medina voiced his concern with receiving bids and asked why these items had only received one (1) bid.

David Garza, Public Utilities Director, explained overall in the valley there was a problem in receiving bids. He stated DPC Industries was the only company that carries chlorine and they are based out of Corpus Christi. Mr. Garza stated the City went out for bids because the purchase price was over \$50,000.

Mayor Hernandez asked about the bid process and who receives the bids. Mr. Garza stated the City Clerk's office receives all bids and ensures bids are sealed.

Comm. Carrillo moved to award bid to DPC Industries. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

**B) CONSIDERATION AND ACTION, IF ANY, AWARDING BID FOR SUPPLY CONTRACT FOR PURCHASE OF ALUMINUM SULFATE LIQUID POLYMER BLEND (PUBLIC UTILITIES)**

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

Comm. Medina moved to award bid to Chemtrade Chemicals. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

**C) CONSIDERATION AND ACTION, IF ANY, AWARDING BID FOR SUPPLY CONTRACT FOR PURCHASE OF POLYMER (PUBLIC UTILITIES)**

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

Comm. Elizondo moved to award bid to Wholesale Chemical Company. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

**D) CONSIDERATION AND ACTION, IF ANY, AWARDING BID FOR SUPPLY CONTRACT FOR PURCHASE OF LIQUID AMMONIUM SULFATE (PUBLIC UTILITIES)**

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

Comm. Carrillo moved to award bid to Chemtrade Chemicals. Comm. Maldonado seconded the motion and when put to a vote, it carried unanimously.

**ITEM 8 CONTRACTS/AGREEMENTS:****B) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN THE CITY OF PHARR AND HAMER ENTERPRISES FOR INTERNET PROCESSING PROFESSIONAL SERVICES (MUNICIPAL COURT)**

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

Comm. Medina expressed concerns with liability issues and asked City Attorney if she had reviewed the contract.

Patricia Rigney, City Attorney, stated she had reviewed the contract and the liability seemed equal for both parties. He further stated she noted some revisions and would review the revisions of contract with him and the Mayor.

Judge Rodolfo Martinez also stated the services were at no cost to the City and that he did not have any concerns with the company avoiding liability. Juan Guerra, City Manager, further stated this was sole source services.

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

**C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT FOR THE RELOCATION OF WATER AND SEWER LINE ON MILITARY HIGHWAY (PUBLIC UTILITIES)**

Juan Guerra, City Manager, introduced the item and recommended SDI Engineering.

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

**ITEM 9 CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEMS 3 - 8**

None

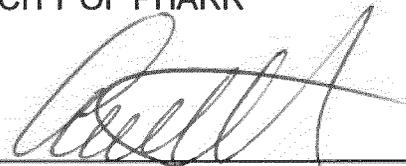
**ITEM 10 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN CLOSED SESSION**

None

**ITEM 11 ADJOURNMENT:**

There being no other business to come before the board, Comm. Elizondo moved to adjourn. Comm. Carrillo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:34 p.m.

CITY OF PHARR

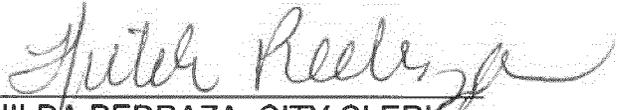


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AMBROSIO HERNANDEZ  
MAYOR

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

**ON THIS THE 1<sup>st</sup> DAY OF SEPTEMBER, 2015** 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, 2<sup>nd</sup> Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:

  
HILDA PEDRAZA, CITY CLERK

APPROVED: September 15, 2015