

**MINUTES
BOARD OF COMMISSIONERS
REGULAR-SPECIAL CALLED MEETING
TUESDAY, AUGUST 25, 2015 AT 5:15 P.M.
118 SOUTH CAGE 2ND FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular-Special Called Meeting on Tuesday, August 25, 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. Mario Bracamontes

BOARD OF COMMISSIONERS ABSENT: Comm. Ricardo Medina

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Assistant City Manager
Hilda Pedraza, City Clerk
Karla Moya, Interim Finance Director
Ruben Villescascas, Police Chief
Jaime Guzman, Fire Chief
Frank Marin, Parks & Recreation Dir.
Roy Garcia, Public Works Director
Luis Bazan, Director of Operations
Melanie Cano, Pharr Dev. Services Dir.
Adolfo Garcia, Library Director
Gary Rodriguez, Public Information Officer
Jason Arms, I.T. Director
Roel Garza, Athletics Director
Roy S. Garcia, Boggus Ford Events Center
Sergio Contreras, Interim PEDC Director
Bill Ueckert, City Engineer

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1 CALL TO ORDER:

Mayor Hernandez called the meeting to order at 5:17 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 moved to excuse Comm. Medina for being absent. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

B) PLEDGE OF ALLEGIANCE / INVOCATION

Juan Guerra, City Manager, led in the pledge of allegiance and Pastor Adan Magallan said the prayer.

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

Kenneth Fletcher addressed the board and spoke about Costco's ongoing violations such as employees not wearing their Food Handler ID cards. He also mentioned Costco employees were working dual positions.

Rey Lizcano addressed the board and spoke about a house built offset to setbacks of subdivision and also mentioned a house that showed caliche on front yard. Mr. Lizcano mentioned that nothing is being done to beautify Pharr. He further stated curbs were full of grass and the City was not enforcing to clean the curbs.

Lupe Chavez addressed the board and recommended that the Commission consider new individuals for the Parks & Recreation Board. He voiced his concern about Comm. Mario Bracamontes' residence requirements and asked Comm. Bracamontes to resign voluntarily.

At this time, Mayor Hernandez stated they would deviate from the agenda and to item 8K. There was no objection.

ITEM 8 K) CONSIDERATION AND ACTION, IF ANY, ON INTER-LOCAL AGREEMENT BETWEEN THE CITY OF PHARR AND HIDALGO COUNTY FOR EAST AND WEST EL DORA ROAD IMPROVEMENTS (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and recommended approval for funding in the amount of \$937,500 for road improvements to El Dora Road.

Commissioner Eddie Cantu, Hidalgo County Precinct 2, addressed the board and stated the proposed project would be a 5-lane road with a turning lane, sidewalks throughout, and curb and gutter. He mentioned the MPO is supporting this project and the county currently has funds available for this project as well. He asked that the City consider an Interlocal Agreement and the funds of \$937,500. Lastly, he mentioned that it would be a big benefit to the northern side of the city and the three (3) schools that exist on that road.

Mayor Hernandez thanked Commissioner Cantu for partnering with the City of Pharr in this project and hopefully future projects.

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

ITEM 8 L) CONSIDERATION AND ACTION, IF ANY, ON INTER-LOCAL AGREEMENT BETWEEN THE CITY OF PHARR AND HIDALGO COUNTY FOR LINEAR PARK PROJECT (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and recommended approval contingent upon the location of the Linear Park be identified thru community participation NIPA; the cost to the city in all the development stages of the park be limited to \$950,986 to include relocation of utilities and right of way; Hidalgo County Precinct 2 to be responsible for all maintenance of Linear Park and security measures will be installed throughout the park to ensure the safety of the residents using park.

Commissioner Eddie Cantu, Hidalgo County Precinct 2, stated when he took office there was \$4.5 million dollars available that could only be used for Hike & Bike Trails or sidewalk improvements at schools. He stated Hidalgo County generated a regional project from San Juan, Pharr, and McAllen for a Hike & Bike Trail and stated Hidalgo County received 100% funding thru the Hidalgo County MPO and \$1.1 million in funds from the State for Economically Disadvantaged Counties. He further stated Hidalgo County has agreed to pay half of the project and the remaining portion would be split among the (3) three cities participating in this project. That amount for the cities would be \$950,986 over (3) three fiscal years and the total project cost is expected to be \$9.2 million dollars.

Mayor Hernandez stated this was a vital project for the citizens of Pharr due to the obesity epidemic in the United States and stated this was a great asset to help us change our lifestyle. He further thanked Commissioner Cantu.

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

ITEM 2 PROCLAMATIONS:**A) PRESENTATION OF PROCLAMATION PROCLAIMING NATIONAL SUICIDE PREVENTION AWARENESS DAY**

Mayor Hernandez introduced the item and stated no one was available to receive the proclamation.

ITEM 3 CITY MANAGER'S REPORTS:

- A) City Engineer's Report
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of July 2015 Tax Collection Report
- D) Submission of August 2015 Sales Tax Report
- E) City events of interest

Mayor Hernandez introduced the item.

Juan Guerra, City Manager, stated the City Engineer and Municipal Judge were present for any questions.

There being no questions, Juan Guerra, City Manager, stated property taxes this year were slightly lower than last year and the delinquent taxes were currently up than last year. He further reported sales taxes were up over 9%.

Juan Guerra, City Manager, reported a Business Appreciation Reception hosted by Pharr Economic Development Corporation was scheduled for Thursday, September 3, 2015 at the Boggus Ford Events Center. He further reported Development Services Department will be hosting (2) two events for Your Vision! Pharr 2025 Comprehensive Plan Public Outreach to take place at Pharr Night-Out event on September 5, 2015 and the Fire Fest event on October 24, 2015. Mr. Guerra announced Finance Department had received the Budget Presentation Award from GFOA for Fiscal Year 2014-2015 for the 6th consecutive year. He also briefly announced that the Pharr Aquatics Center would be extending public swimming through September 13, 2015 and Operation Clean Sweep was taking place on Saturday, August 29, 2015. Lastly, he also reported the Pharr Police Athletic League (PAL) would be having the Color Me Loco 5K Run on September 19, 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) APPROVAL OF MINUTES FOR JUNE 16, 2015 - REGULAR CALLED MEETING; JULY 1, 2015 – REGULAR-SPECIAL CALLED MEETING; JULY 21, 2015 – REGULAR CALLED MEETING; AND AUGUST 4, 2015 REGULAR CALLED MEETING. (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR THE RELOCATION OF WATER AND SEWER LINE ON MILITARY HIGHWAY. (PUBLIC UTILITIES)**
- C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR IN-HOUSE RESTAURANT SERVICES AT THE BOGGUS FORD EVENTS CENTER. (EVENTS CENTER)**
- D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR PROPOSALS FOR CONCESSION SERVICES AT TIERRA DEL SOL GOLF CLUB DINING AREA. (PARKS & REC.)**

E) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2007-56 FOR REVISION OF RATES CHARGED FOR SEWER SYSTEM SERVICES. (FINANCE)

F) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2010-56 WATER RATES. (FINANCE)

G) CONSIDERATION AND ACTION ON PLANNING & ZONING CASES:

Public Hearing

1. Mario Anaya, representing Ango Investments, LLC requested a change of zone from an Agricultural and/or Open Space District (A-O) to a High Density Multi-Family District (R-4). The property is legally described as Lot 6, Tri-City Acres, Pharr, Hidalgo County, Texas. The properties physical address is 5414 North Sugar Road. COZ#150746
2. LEM Group, LLC, d/b/a The Bridge Bar & Grill, 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 0.06 acre tract of land, more or less, out of Lot 2, Luvil, L.L.C. Estates Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 508 West IH-2, Suite 13. COZ#150747

PLATS:

3. Salinas Engineering & Associates, representing Uriel De Alba and Dora G. De Alba, requested final plat approval of the proposed De Alba Subdivision. The property is legally described as being a 2.76 acre tract of land, more or less, out of and forming a part of Lot 188, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 900 Block of South Cage Boulevard.

Juan Guerra, Interim City Manager, introduced items 4A through 4G (3) under the consent agenda and recommended approval.

Mayor Hernandez opened the public hearing.

Kenneth Fletcher addressed the board and spoke on item 4G (1) stating there was no preliminary report or final report in agenda packet regarding change of zone to the residents with the 200 feet. He also mentioned a 16-day notice for publishing in Advance Newspaper should be given in advance. He requested the item be tabled for further consideration.

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

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

Ordinance Nos. O-2015-39, O-2015-40 and O-2015-41 are filed with the City Clerk's Office.

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 ORDINANCE ADDING CHAPTER 11 UNDER CITY OF PHARR PERSONNEL POLICY MANUAL RELATING TO RESTRICTIONS ON NON-PROFESSIONAL EMPLOYEE RELATIONSHIPS (NON-FRATERNIZATION POLICY) (ADMINISTRATION)

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

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

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2015-38, SECTION 3, TO ADD WITTEN PARK (PAL)

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

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

D) CONSIDERATION AND ACTION, IF ANY, AMENDING ORDINANCE NO. O-2008-29 (ADMINISTRATION)

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

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

Ordinance No. O-2015-42 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION RATIFYING RE-SCHEDULING THE CITY COMMISSION MEETING OF TUESDAY, AUGUST 18, 2015 (ADMINISTRATION)

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

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

Resolution No. R-2015-67 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION RE-SCHEDULING THE CITY COMMISSION MEETING OF TUESDAY, SEPTEMBER 1, 2015 (ADMINISTRATION)

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

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE ENVIRONMENTAL SERVICES RECYCLING CENTER DIVISION TO FILE AN APPLICATION WITH THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT (PUBLIC WORKS)

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

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

Resolution No. R-2015-68 is filed with the City Clerk's Office.

H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING FOUR (4) REGULAR MEMBERS TO THE PARKS & RECREATION COMMITTEE (PARKS & REC.)

Juan Guerra, City Manager, introduced the item.

Comm. Carrillo moved to appoint Romeo Cuellar Jr. and Frank Nunez and re-appoint Johnny Ramos and Oralia Rodriguez to the Parks & Recreation Committee. Comm. Maldonado seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-69 is filed with the City Clerk's Office.

I) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING POLICE DEPARTMENT TO ENTER INTO AN INTERLOCAL AGREEMENT AND ACCEPT GRANT AWARD FROM AUTO BURGLARY AND THEFT PREVENTION AUTHORITY (POLICE)

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

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

Resolution No. R-2015-70 is filed with the City Clerk's Office.

J) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING POLICE DEPARTMENT TO ENTER INTO AN INTERLOCAL AGREEMENT WITH HIDALGO COUNTY SHERIFF'S OFFICE FOR FY 2014 OPERATION STONEGARDEN GRANT FUNDS (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-2015-71 is filed with the City Clerk's Office.

ITEM 6 ADMINISTRATIVE:

A) CONSIDERATION AND ACTION, IF ANY, AWARDED BID FOR CATASTROPHIC EVENT DEBRIS REMOVAL SERVICES (PUBLIC WORKS)

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

Comm. Carrillo moved to award bid to Ceres Environmental Services. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

B) CONSIDERATION AND ACTION, IF ANY, AWARDED PROFESSIONAL DELINQUENT TAX COLLECTION SERVICES (FINANCE)

Juan Guerra, City Manager, introduced the item and recommended a 4-year contract.

Comm. Guajardo asked if the city went out for bids to consider who could provide these services. Mr. Guerra responded yes and stated Linebarger Goggan Blair & Sampson, LLP and Perdue Brandon Fielder Collin & Mott, LLP were the only companies that provide these services in the region and both had submitted bids. Mr. Guerra also acknowledged that both entities can do the job but it was up to the elected officials to decide what company to award the bid to.

Comm. Carrillo **moved** to award bid to Linebarger Goggan Blair & Sampson, LLP. Comm. Maldonado seconded the motion and when put to a vote, it carried by a majority vote of four (4) ayes, and one (1) nay and one (1) abstention. Comm. Guajardo voted against the motion and Mayor Hernandez abstained from voting.

C) CONSIDERATION AND ACTION, IF ANY, AWARDED EMPLOYEE HEALTH AND PHARMACY PLAN SERVICES (FINANCE)

Juan Guerra, City Manager, introduced the item and recommended no action would be taken at this time.

D) SUBMISSION OF PROPOSED CITY OF PHARR BUDGET FY 2015-2016 (FINANCE)

Juan Guerra, City Manager, introduced the item and no action was needed.

E) SUBMISSION OF 2015 CERTIFIED TAX ROLL (FINANCE)

Juan Guerra, City Manager, introduced the item and no action was needed.

F) SUBMISSION AND CERTIFICATION OF 2015 ANTICIPATED COLLECTION RATE AND EXCESS 2014 DEBT TAX COLLECTIONS (FINANCE)

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

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

G) SUBMISSION AND CERTIFY EFFECTIVE AND ROLLBACK TAX RATE (FINANCE)

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

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

H) DISCUSSION AND ACTION FOR VOTE ON PROPOSED TAX RATE INCREASE (FINANCE)

Juan Guerra, City Manager, introduced the item and stated the current tax rate is \$.68 and recommended approval of \$.65.4 which is a reduction in taxes.

Comm. Carrillo asked about the word increase rather than decrease. Mr. Guerra explained that the certified tax rate is \$.64 based on the truth-in taxation calculation even though the amount is greater than \$.64 its less than the \$.68 that exists today. Mr. Guerra further explained that our tax rate has always been higher than our effective tax rate and so long as it is not equal to or less than the effective tax rate, regardless what your rate was, it is considered an increase. He stated although taxes are being reduced, the tax rate is still an increase because of the effective tax rate calculation.

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

I) CONSIDERATION AND ACTION, IF ANY, ON AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT WITH SDI ENGINEERING FOR THE PREPARATION OF PLANS FOR DOWNTOWN STREET LIGHT PROJECT FROM U.S. BUSINESS 83 TO POLK AVENUE (ENGINEERING)

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

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

J) CONSIDERATION AND ACTION, IF ANY, ON LOCATION DETERMINATION FOR SOUTH BRANCH TRAINING & EMERGENCY OPERATION CENTER BUILDING (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and briefly stated this was the Library on south Pharr. He further recommended approval on Dicker Road contingent upon Interlocal Agreement with the County for El Dora Road being no more than \$937,000 and if that does not take place it goes to Jones Box Park.

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

K) CONSIDERATION AND ACTION, IF ANY, ON AUTHORIZATION TO SUBMIT AN APPLICATION FOR A DRAINAGE DISTRICT CROSSING PERMIT FOR A PEDESTRIAN BRIDGE (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item.

Comm. Elizondo asked about timeframe to complete project. Raul Sesein, General Manager of Hidalgo County Drainage District No. 1, stated all plans were submitted by the City Engineer and anticipated a couple of weeks for permit.

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

ITEM 7 PURCHASING:

A) CONSIDERATION AND ACTION, IF ANY, ON REQUEST TO UPGRADE DOCK ENFORCEMENT BOOTH (DEB) AT PHARR INTERNATIONAL BRIDGE (BRIDGE)

Juan Guerra, City Manager, introduced the item and stated this was a donation from the City of Pharr to CBP port of entry. He further recommended approval.

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

ITEM 8 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON NON-BINDING LETTER OF INTENT WITH COPSYNC, INC. FOR PHARR ECONOMIC DEVELOPMENT CORPORATION PROPOSAL (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and briefly stated this was non-binding letter of intent and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT BETWEEN LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL AND THE CITY OF PHARR FOR VALLEY METRO BUS ROUTE EXPANSION (CDBG)

Juan Guerra, City Manager, introduced the item and briefly stated this was a (1) one year test basis project that would provide bus services to south Pharr ending at the Pharr International Bridge. He further recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT BETWEEN THE CITY OF PHARR AND PALM VALLEY ANIMAL CENTER (PUBLIC WORKS)

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

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

D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACT WITH S&GE LLC FOR ENGINEERING SERVICES FOR WASTEWATER TREATMENT PLANT CLARIFIER #2 REHABILITATION (PUBLIC UTILITIES)

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

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

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACT WITH CRUZ & HOGAN CONSULTANTS FOR ENGINEERING SERVICES FOR RELOCATION OF WATER AND SEWER LINE ON MILITARY HIGHWAY. (PUBLIC UTILITIES)

Juan Guerra, City Manager, introduced the item and recommended no action be taken at this time.

F) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACT WITH CRUZ & HOGAN CONSULTANTS FOR ENGINEERING SERVICES FOR REHABILITATION OF LIFT STATION NO. 40 AND FORCE MAIN PROJECT. (PUBLIC UTILITIES)

Juan Guerra, City Manager, introduced the item and recommended no action be taken at this time.

G) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO INCLUDE WATER AND SEWER RATE STUDY IN WATER AND WASTEWATER MASTER PLAN WITH S&GE LLC. (PUBLIC UTILITIES)

Juan Guerra, City Manager, introduced the item and stated a contract was currently in place for the water and wastewater master plan with S&GE and this was to include the water and sewer rate study. He further he recommended approval.

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

H) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN COUNTY OF HIDALGO, CITY OF EDINBURG, CITY OF MCALLEN, CITY OF MISSION, CITY OF PHARR AND THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY FOR THE DEVELOPMENT OF AND FUNDING FOR THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY SCHOOL OF MEDICINE (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and briefly stated this was to reflect the name change of school and recommended approval.

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

I) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN WELLTECH SERVICES AND CITY OF PHARR FOR EMPLOYEE HEALTH SCREENINGS (FINANCE)

Juan Guerra, City Manager, introduced the item and recommended no action be taken at this time.

J) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF PHARR AND D&M VENTURES, LLC FOR MULTI-FAMILY APARTMENT PROJECTS (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and stated this was a non-binding preliminary memorandum of understanding with no fiscal implications and recommended approval.

Comm. Carrillo moved to approve. Comm. Guajardo seconded the motion and when put to a vote, it carried by a majority vote of six (6) ayes and one (1) abstention. Comm. Elizondo abstained from voting.

At this time, Mayor Hernandez stated they would deviate from the agenda and go into closed session. There was no objection.

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

Mayor Hernandez stated the time being 6:11 p.m.; the Board of Commissioners would be entering a closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

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

Mayor Hernandez stated the time being 6:21 p.m.; the board had completed its closed session and would be resuming the open meeting.

ITEM 5 K) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR A PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; ESTABLISHING FAIR MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATE FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDINGS BY CITY ATTORNEY, CONTINGENT ON AVAILABLE FUNDING. (LOT 327-AKA LOT 3, SOUTH PHARR LIBRARY) (DEVELOPMENT SERVICES)

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

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

Resolution No. R-2015-72 is filed with the City Clerk's Office.

ITEM 5 L) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR A PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; ESTABLISHING FAIR MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATE FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDINGS BY CITY ATTORNEY, CONTINGENT ON AVAILABLE FUNDING. (LOT 327-AKA LOT 4, SOUTH PHARR LIBRARY) (DEVELOPMENT SERVICES)

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

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

Resolution No. R-2015-73 is filed with the City Clerk's Office.

ITEM 5 M) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR A PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; ESTABLISHING FAIR MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED; AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATE FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDINGS BY CITY ATTORNEY, CONTINGENT ON AVAILABLE FUNDING. (17 PROPERTIES, STC CAMPUS) (DEVELOPMENT SERVICES)

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

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

Resolution No. R-2015-74 is filed with the City Clerk's Office.

ITEM 11 ADJOURNMENT:

There being no other business to come before the board, Comm. Elizondo moved to adjourn. Comm. Guajardo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:23 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

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

ON THIS THE 25TH DAY OF AUGUST, 2015 the Board of Commissioners of the City of Pharr, Texas convened in a **REGULAR-SPECIAL CALLED MEETING** at the Commissioner's Room located at 118 S. Cage, 2nd Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:



HILDA PEDRAZA, CITY CLERK

APPROVED: September 15, 2015