

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
TUESDAY, AUGUST 4, 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 Called Meeting on Tuesday, August 4, 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, Interim City Manager
David Garza, Utilities Director
Hilda Pedraza, City Clerk
Raul Garza, C.D. Director
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
Edward Wylie, 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 Michael Pruneda, City Attorney

ITEM 1 CALL TO ORDER:

Mayor Hernandez called the meeting to order at 5:16 p.m. Roll Call established a quorum.

A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER OF THE GOVERNING BODY

All present.

B) PLEDGE OF ALLEGIANCE / INVOCATION

Juan Guerra, Interim City Manager, led in the pledge of allegiance and Luis Bazan said the prayer.

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

Kenneth Fletcher thanked the Commission for addressing the issues concerning no-parking in fire lane and tow away zones at Costco. He also stated the light issues at Costco are against code and complained about noise coming from trucks.

ITEM 2 PROCLAMATIONS:

A) PRESENTATION OF PROCLAMATION PROCLAIMING THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY DAY

Mayor Hernandez read Proclamation proclaiming August 31, 2015 as University of Texas Rio Grande Valley Day and presented proclamation to Jennilee Ann Garza.

ITEM 3 CITY MANAGER'S REPORTS:

- A) City Engineer's Report
- B) Presentation on 3rd Quarterly Report for FY 2014 - 2015
- C) City Events of Interest

Mayor Hernandez introduced the item.

Juan Guerra, Interim City Manager, stated the City Engineer was in the audience and any questions on projects could be entertained at this time.

Comm. Guajardo requested a status on bridge at Jones Box Park. Bill Ueckert, City Engineer, advised the preliminary engineering design was underway and plans will be submitted to Hidalgo County with permit.

Juan Guerra, Interim City Manager, introduced the 3rd Quarterly Report for FY2014-2015 and briefly stated the purpose of the report was to keep the City Commission up-to-date on the City's fiscal situation.

Juan Guerra, Interim City Manager, reported a total of 114 kids qualified for the 2015 Games of Texas held in College Station, Texas on July 29th thru August 2nd, 2015. Frank Marin, Parks and Recreation Director, thanked the Commission for their continued support and advised this year they had the most participants in the athletics program.

Diana Cruz, Recreation Supervisor, advised over 1,600 kids participated in the summer program this year and introduced all coaches and team players for the Track Program, Tennis program, and Golf Program. Ms. Cruz thanked the Commission for their continued support.

Juan G. Guerra, Interim City Manager, recognized the PONY Mustang 9u Baseball All-Star team for advancing to the World Series in Walnut, California. Roel Garza, PAL Director, briefly went over the different games and locations played that led to the World Series game and thanked the Commission and staff for their support. He further introduced all team players. Patrick Willingham presented Mayor Hernandez with cap and shirt with all teams that participated in 2015 World Series Cup.

Juan G. Guerra, Interim City Manager, reported Development Services would be conducting public outreach for the 2025 Comprehensive Plan update on August 10, 2015 at Boggus Ford Events Center; August 11, 2015 at South Pharr Community Center; August 12, 2015 at Boggus Ford Events Center; and August 13, 2015 at South Pharr Community Center. He further reported Pharr Athletic League (PAL) would be hosting a Helping Others Prosper Community Outreach event on August 7, 2015 at Victor Garcia Park for school supplies giveaway.

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-2007-56 FOR REVISION OF RATES CHARGED FOR SEWER SYSTEM SERVICES. (FINANCE)**

- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2010-56 WATER RATES. (FINANCE)**
- C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING INTERIM CITY MANAGER TO ADVERTISE FOR CITY-WIDE LANDSCAPE MAINTENANCE SERVICES FOR THE CITY OF PHARR (PARKS & REC.)**
- D) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM SAINT MARGARET MARY CATHOLIC CHURCH TO CLOSE THE 100 BLOCK OF JUAREZ STREET BETWEEN CAGE BLVD. AND ASTER STREET ON SATURDAY, OCTOBER 17, 2015 FROM 5:00PM – 10:00PM AND ON SUNDAY, OCTOBER 18, 2015 FROM 1:00PM – 10:00PM FOR THEIR ANNUAL JAMAICA (ADMINISTRATION)**
- E) CONSIDERATION AND ACTION, IF ANY, ON PLANNING & ZONING CASES:**

PUBLIC HEARING

1. R.G.V. & Associates/Laura L. Garza, d/b/a George's Dance Hall, requested renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 6801 South Jackson Road. CUP#120529
2. Alba Dora Pedraza, d/b/a Sepi's, 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 22, Block 30, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 212 West State Street. CUP#120423
3. Rommel Organista, d/b/a Kurai Chinese & Sushi 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 Lot 1, Jackson Ridge Court Phase II Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 1201 South Jackson, Suite 1. CUP#120424
4. Jose Alberto Hernandez, d/b/a Doc's Billiards & Sports Bar, requested renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lots 17, 18 and 19, Block 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 917 West Ferguson Street. CUP#130630
5. Melden & Hunt Inc., representing Kamper Investments, LLC., requested a change of zone from an Office Professional District (O-P) to a General Business District (C). The property is legally described as Lot 3, Block. 4, Lowrie Subdivision of a tract "T", Pharr, Hidalgo County, Texas. The properties physical address is 614 South Cage Boulevard. COZ#150539
6. Melden & Hunt Inc., representing Kamper Investments, LLC., requested a change of zone from a Single-Family Residential District (R-1) to a General Business District (C). The property is legally described as the East one-half (1/2) of Lot 1, Block. 4, Lowrie Subdivision of a tract "T", Pharr, Hidalgo County, Texas. The property is located within the 100 Block of West Jones Avenue. COZ#150540
7. Santiago O. Alanis requested a change of zone from a General Business District (C) to a Medium Density Multi-Family Residential District (R-3). The property is legally described as the North 0.65 acres of land, more or less, out of Lot 4, Block 145, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 1217 East Ferguson Avenue. COZ#150745

PLATS:

8. R. Gutierrez Engineering Corporation, representing Daniel Gonzalez, requested final plat approval of the proposed Iglesia Bautista Biblica Subdivision. The property is legally described as being a 0.924 acre tract of land out of the West 610 feet of the East 660 feet of the North 66 feet of the North 561 feet of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 7200 and 7300 Block of South Cage Boulevard.
9. Sam Engineering & Surveying Inc., representing Cesar Garcia Vigil, requested final plat approval of the proposed Interenlace Subdivision. The property is legally described as being a 10.00 acre tract of land being the East 10.00 acres of the West 20.00 acres of Lot 358, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 600 and 800 Block of West Anaya Road.
10. Dannenbaum Engineering Company, representing Charles Mueller, requested final plat approval of the proposed Center on Ridge Road Subdivision Phase I. The property is legally described as being a 2.161 acre tract of land, out of, Lot 203, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 400 and 500 Block of West Ridge Road.

Juan Guerra, Interim City Manager, introduced items 4A through 4E and recommended approval.

Mayor Hernandez opened the public hearing.

Kenneth Fletcher addressed the board and spoke on Item 9. He stated this area was zoned as light industry and stated residents need to be aware that a heavy commercial business is coming into area.

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

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

Ordinance Nos. O-2015-33, O-2015-34 and O-2015-35 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, Interim City Manager, introduced the item and recommended the item remained tabled.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2015-11 TIERRA DEL SOL GOLF CLUB BANQUET ROOM AND PHARR SPORTS COMPLEX RENTAL RATES. (PARKS & REC.)

Juan Guerra, Interim City Manager, introduced the item and recommended approval with the addition of Boggus Ford Events Center rental rate of \$8,000 be reduced to \$5,000 during summer months for activities such as weddings and quinceñeras.

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

Ordinance No. O-2015-38 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF CITY OF PHARR, TEXAS COMBINATIN TAX AND INTERNATIONAL BRIDGE REVENUE REFUNDING BONDS, SERIES 2015A; DELEGATING CERTAIN AUTHORITY TO THE CITY MANAGER AND THE FINANCE DIRECTOR PURSUANT TO THE PROVISIONS OF TEXAS GOVERNMENT CODE, SECTIONS 1207.007 AND 1207.008; LEVYING A CONTINUAING DIRECT ANNUAL AD VALOREM TAX; AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING BONDS; APPROVING AN OFFICIAL STATEMENT EXECUTION OF AN ESCROW AGREEMENT, THE SUBSCRIPTION AND PURCHASE OF CERTAIN ESCROWED SECURITIES, AND MAKING OTHER PROVISIONS REGARDING SUCH BONDS AND MATTERS INCIDENT THERETO. (ADMINISTRATION)

Juan Guerra, Interim City Manager, introduced the item and stated this item was similar to Item 5D. He explained the parameters that were approved in April 2015 were at 6% to 5.76% and the new parameters are at 4.5%. If approved, the gross savings would be roughly \$601,000 along with \$276,000 which would be almost \$900,000, which is an annual savings of almost \$140,000. He further recommended approval.

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

Ordinance No. O-2015-36 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF CITY OF PHARR, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015B; DELEGATING CERTAIN AUTHORITY TO THE CITY MANAGER AND THE FINANCE DIRECTOR PURSUANT TO THE PROVISION OF TEXAS GOVERNMENT CODE, SECTIONS 1207.007 AND 1207.008; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX; AUTHORIZING THE CURRENT REFUNDING OF CERTAIN OUTSTANDING BONDS; AUTHORIZING THE EXECUTION OF A BOND PURCHASE CONTRACT; APPROVING AN OFFICIAL STATEMENT, EXECUTION OF AN ESCROW AND TRUST AGREEMENT, THE SUBSCRIPTION AND PURCHASE OF CERTAIN FEDERAL SECURITIES, AND MAKING OTHER PROVISIONS REGARDING SUCH BONDS AND MATTERS INCIDENT THERETO. (ADMINISTRATION)

Juan Guerra, Interim 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.

Ordinance No. O-2015-37 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/RE-APPOINTING A REPRESENTATIVE AND AN ALTERNATE TO AMIGOS DEL VALLED BOARD FOR FY 2015-2016. (ADMINISTRATION)

Juan Guerra, Interim City Manager, introduced the item and stated Comm. Guajardo and Comm. Medina were appointed for the remainder of FY 2014-2015 and staff was recommending re-appointment of members.

Comm. Elizondo moved to re-appoint Comm. Guajardo and Comm. Medina to the Amigos Del Valle Board for FY 2015-2016. Comm. Maldonado seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-62 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING A POLICING AGREEMENT BETWEEN PSJA INDEPENDENT SCHOOL DISTRICT AND THE CITY OF PHARR TO CONTINUE THE "SCHOOL RESOURCE OFFICER PROGRAM" FOR 2015-2016. (POLICE)

Juan Guerra, Interim 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-2015-63 is filed with the City Clerk's Office.

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING A K9 POLICING AGREEMENT BETWEEN THE PSJA INDEPENDENT SCHOOL DISTRICT AND THE CITY OF PHARR UNDER THE "SCHOOL RESOURCE OFFICER PROGRAM" FOR 2015-2016. (POLICE)

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

Comm. Medina questioned why a K9 was needed at the school district. Ruben Villescas, Police Chief, stated the K9 was used as a resource for the school district and many times the Security Department requests a sweep of buses when they travel out of town. He further stated all services are reimbursed by the school district and requested approval.

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

Resolution No. R-2015-64 is filed with the City Clerk's Office.

H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING A POLICING AGREEMENT BETWEEN VALLEY VIEW INDEPENDENT SCHOOL DISTRICT AND THE CITY OF PHARR TO CONTINUE THE "SCHOOL RESOURCE OFFICER PROGRAM" FOR SCHOOL YEAR 2015-2016. (POLICE)

Juan Guerra, Interim 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-2015-65 is filed with the City Clerk's Office.

I) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) REGULAR MEMBER TO BOARD OF ADJUSTMENT. (DEVELOPMENT SERVICES)

Juan Guerra, Interim City Manager, introduced the item.

Comm. Elizondo moved to appoint Jorge Espinoza to the Board of Adjustment. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-66 is filed with the City Clerk's Office.

ITEM 6 ADMINISTRATIVE:

A) CONSULTATION WITH THE BOARD OF COMMISSIONERS ON PENDING PERSONNEL ACTION FORMS. (ADMINISTRATION)

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

B) CONSULTATION WITH THE BOARD OF COMMISSIONERS ON REVIEW OF THE CITY ORGANIZATION STRUCTURE. (ADMINISTRATION)

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

C) CONSIDERATION AND ACTION, IF ANY, ON APPOINTMENT OF CITY MANAGER. (ADMINISTRATION)

Juan Guerra, Interim City Manager, introduced the item.

Comm. Carrillo moved to appoint Juan G. Guerra as City Manager and authorize Mayor Hernandez to negotiate and execute an agreement with Mr. Guerra for the permanent City Manager position. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

ITEM 7 PURCHASING:

A) CONSIDERATION AND ACTION, IF ANY, ON AWARDING PROPOSAL FOR PROFESSIONAL AUDIT SERVICES FOR FY 2014-2015. (FINANCE)

Juan Guerra, Interim City Manager, introduced the item and recommended to award audit services to Oscar Gonzalez.

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

ITEM 8 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT BETWEEN THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) AND CITY OF PHARR E911 PUBLIC SAFETY ANSWERING POINT SERVICES (PSAP). (FIRE)

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT BETWEEN THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) AND CITY OF PHARR E911 PUBLIC SAFETY ANSWERING POINT SERVICES (PSAP). (POLICE)

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

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

C) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT WITH ACTIVE NETWORKS, LLC. FOR ONLINE REGISTRATION SERVICES. (PARKS & REC.)

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

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.

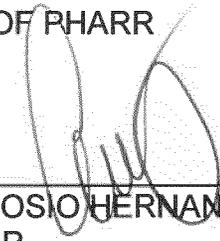
ITEM 10 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN CLOSED SESSION.

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 6:07 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

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

ON THIS THE 4TH DAY OF AUGUST, 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, 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: August 25, 2015