

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
TUESDAY, OCTOBER 20, 2015 AT 5:00 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, October 20, 2015 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Roberto Carrillo
Comm. Edmund Maldonado, Jr.
Comm. Ricardo Medina
Comm. Mario Bracamontes

BOARD OF COMMISSIONERS ABSENT: Mayor Pro-Tem Oscar Elizondo

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Asst. City Manager
Hilda Pedraza, City Clerk
Imelda Barrera, Asst. City Clerk
William Ueckert, City Engineer
Gary Rodriguez, Community Affairs Liaison
Karla Moya, Finance Director
Anali Cantu, Human Resources Director
Rodolfo Martinez, Municipal Judge
Javier Gonzalez, Asst. Police Chief
Jacob Salinas, Fire Marshal
Melanie Cano, Development Services Dir.
Roy Garcia, Public Works Director
David Garza, Public Utilities Director
Sergio Alanis, Interim Parks & Rec. Dir.
Adolfo Garcia, Library Director
Roel Garza, Athletics Director
Roy S. Garcia, Boggus Ford Events Center
Luis Bazan, Director of Operations
Sergio Contreras, Interim PEDC Director

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1 CALL TO ORDER:

Mayor Hernandez called the meeting to order at 5:00 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. Elizondo. Comm. Maldonado 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 David Garza, Public Utilities Director, said the prayer.

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

Kenneth Fletcher addressed the board as General Sheridan and announced the play of "The Last Battle of the Civil War". He further thanked the commission for the sponsorship to the Pharr Community Theater.

ITEM 2 PROCLAMATIONS:

A) PRESENTATION OF PROCLAMATION PROCLAIMING LIGHTS ON AFTERSCHOOL DAY

Mayor Hernandez read Proclamation proclaiming October 22, 2015 as Lights on Afterschool Day and presented proclamation to Freddy Mata, Pharr Boys and Girls Club Executive Director. Mr. thanked the commission for the recognition and briefly explained how the Boys and Girls Club promotes afterschool programs for all children. He further extended an invitation to everyone to attend celebration of Lights on afterschool and community open house on Thursday, October 22, 2015.

ITEM 3 CITY MANAGER'S REPORTS:

- A) City Engineer's Report
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of October 2015 Sales Tax Report
- D) Submission of September 2015 Tax Collection Report
- E) City Events of Interest

Juan Guerra, City Manager, introduced the City Engineer's report and stated the City Engineer was available for any questions.

There being no questions, Juan Guerra, City Manager, introduced the monthly report for Municipal Court and stated Municipal Court Judge was available for any questions.

There being no further questions, Juan Guerra, City Manager, introduced the submission of August 2015 Tax Collection Report and stated tax collection was down slightly as compared to last year but within budget.

Juan Guerra, City Manager, further introduced the submission of September 2015 sales tax report and stated sales tax was up by 38% and the City was number one in our region.

Juan Guerra, City Manager, introduced the City events of interest and announced the following events:

- The Pharr Community Theatre, "The Last Battle of the Civil War", Thursday, October 22, 2015
- WWII Veterans Commemoration at the Pharr Memorial Library, November 12, 2015
- Superhero Color Me Loco Fun Run, October 31, 2015
- Miracle Kids of South Texas Fall Round-up event, October 25, 2015
- Miracle Kids of South Texas Football, October 21, 2015
- Government Contracting Workshop, October 28, 2015
- T.I. Concert at Boggus Ford Events Center, October 23, 2015
- Excision Concert at Boggus Ford Events Center, October 31, 2015
- Red Ribbon Parade, October 24, 2015
- Fall Fest, October 31, 2015
- Community Awareness Police Enforcement (CAPE) conducting neighborhood watch meeting/event, October 22, 2015
- Operation Clean Sweep, October 24, 2015
- Announcement of September Unemployment rate under 7% in Pharr

Comm. Carrillo announced the PSJA North Raiders Football playoffs game would take place on Thursday, October 22, 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, AUTHORIZING CITY MANAGER TO ADVERTISE FOR PROPOSALS FOR IN-HOUSE SECURITY SERVICES AT THE BOGGUS FORD EVENTS CENTER (EVENTS CENTER)
- B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR PROPOSALS FOR IN-HOUSE PRODUCTION COMPANY FOR SOUND AND LIGHTING SERVICES AT THE BOGGUS FORD EVENTS CENTER (EVENTS CENTER)
- C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ESTABLISHING POLICIES AND PROCEDURES FOR THE USE AND/OR DISPOSITION OF CITY PROPERTY (DEVELOPMENT SERVICES)
- D) CONSIDERATION AND ACTION ON PLANNING & ZONING CASES:

PUBLIC HEARING:

1. Blanca Estella Meza, d/b/a Hukah Spot, 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 being all of Lots 9 & 10, Block 1, Amended Plat of Mayfair Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3914 North Jackson Road. CUP#150957
2. Ronal O Urquia, d/b/a Lily's Bar, requested a Conditional Use Permit and Late Night Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). The property is legally described as a portion of Lot 12, and all of Lots 13-16, Block 32, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 410 West State, Suite D. CUP#150958

PLATS:

3. Melden & Hunt Inc., representing Vaquero Ventures Management, LLC, W.A. Landreth, Manager, requested preliminary and final plat approval of the proposed Vaquero Ventures Subdivision. The property is legally described as being a re-subdivision of 2.23 acre out of Lot 196, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1300 Block of South Cage Boulevard. SUB#150921
4. Quintanilla, Headley & Associates Inc., representing SCI Management, Dann Narveson, Director of Real Estate, requested final plat approval of the proposed Palm Valley Section Two Subdivision. The property is legally described as being a 13.20 acre tract of land, being all of the 50.00 foot street right of way, all of Lots 1 through 15, the South 15.00 feet of Lot 17 and all of Lots 18 through 22, Amended Valley Cathedral Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 4600 and 4800 Block of North Sugar Road.

Juan Guerra, City Manager, opened the public hearing and stated no one signed-up for public hearing. He further recommended approval on items 4A thru 4D(4) under the consent agenda.

Comm. Carrillo moved to approve as recommended. Comm. Medina 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, RESOLUTION APPOINTING/REAPPOINTING ONE (1) MEMBER TO THE PARKS & RECREATION COMMITTEE (PARKS & REC) (TABLED)

Juan Guerra, City Manager, introduced the item and recommended to untable item.

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

Juan Guerra, City Manager, recommended reappointing Allen Williams.

Carrillo moved to appoint Allen Williams to the Parks & Recreation Committee. Comm. Bracamontes seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-87 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING FOUR (4) MEMBERS TO THE PARKS & RECREATION COMMITTEE (PARKS & REC)

Juan Guerra, City Manager, introduced the item and suggested reappointment of Javier Trevino, Daniela Zuniga, Jesus Lopez, and Elvia Flores.

Comm. Carrillo moved to reappoint Javier Trevino, Daniela Zuniga, Jesus Lopez, and Elvia Flores to the Parks & Recreation Committee. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-88 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING/REAPPOINTING NINE (9) MEMBERS TO THE TIERRA DEL SOL GOLF COURSE ADVISORY BOARD (PARKS & REC.)

Juan Guerra, City Manager, introduced the item and briefly stated current nine (9) members were interested in being reappointed.

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

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION FOR NOMINATION OF (1) ONE PERSON TO THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY APPRAISAL DISTRICT (ADMINISTRATION) (TABLED)

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

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

Juan Guerra, City Manager, stated the deadline for nominations was October 15, 2015 therefore no action was taken.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING PUBLIC WORKS DEPARTMENT TO SUBMIT GRANT APPLICATION TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE CITY OF PHARR'S ENVIRONMENTAL RECYCLING SERVICES PROGRAM (PUBLIC WORKS)

Juan Guerra, City Manager, introduced the item and stated that this was an annual grant 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-2015-89 is filed with the City Clerk's Office.

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE SUBMISSION OF A TEXAS INVESTMENT PARTNERSHIPS PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE HOMEBUYER ASSISTANCE PROGRAM (COMMUNITY DEVELOPMENT)

Juan Guerra, City Manager, introduced the item and briefly stated the grant would provide assistance to first time home buyers and recommended approval.

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

Resolution No. R-2015-90 is filed with the City Clerk's Office.

H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING SIGNATURES WITH LONE STAR NATIONAL BANK (FINANCE)

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 by a majority vote of five (5) ayes and one abstention. Mayor Hernandez abstained from voting.

Resolution No. R-2015-91 is filed with the City Clerk's Office.

I) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT WITH COUNTY OF HIDALGO FOR SCOFFLAW SERVICES CONTRACT FOR MARKING TEXAS MOTOR VEHICLE REGISTRATION RECORDS (MUNICIPAL COURT)

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.

Resolution No. R-2015-92 is filed with the City Clerk's Office.

J) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE CREATION OF THE PHARR HOUSING FINANCE CORPORATION, APPROVING THE ARTICLES OF INCORPORATION, AND APPOINTMENT OF DIRECTORS (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and recommended approval of the creation of board, approval of Articles of Incorporation, and approval of appointment of elected officials as board members.

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

Resolution No. R-2015-93 is filed with the City Clerk's Office.

K) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF SOUTH U.S. 281 (CAGE BLVD.) AND EAST BUSINESS 83 FOR THE PSJA SOUTHWEST HIGH SCHOOL DIABETES AWARENESS RUN/WALK ON SATURDAY, NOVEMBER 14, 2015 FROM 7:30 A.M. TO 11:30 A.M. (PAL)

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

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

Resolution No. R-2015-94 is filed with the City Clerk's Office.

ITEM 6 ADMINISTRATIVE:

A) CONSIDERATION AND ACTION, IF ANY, ON TEXAS COMMISSION ON ENVIRONMENTAL (TCEQ) AGREED ORDER ON SUPPLEMENTAL ENVIRONMENTAL PROJECT FOR LIFT STATION #25 (PUBLIC UTILITIES)

Juan Guerra, City Manager, introduced the item. He stated this was a fine the City had received and Public Utilities Director worked on getting it removed. He also stated there was a plan in place to fix it from this point forward and recommended approval.

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 CHANGE ORDER NO. 2 IN THE AMOUNT OF \$120,682.50 AND ADDITIONAL 40 CALENDAR DAYS FOR THE CAPOTE AND LAS MILPAS INDUSTRIAL PARKS STREET IMPROVEMENTS PROJECT (PUBLIC WORKS)

Juan Guerra, City Manager, introduced the item. He stated industrial park improvements were engineered without lime and without curb and gutters on purpose and in order to save money. He explained one change order has already been done to the streets in the Capote area to add lime and now with the rains have identified the need to add lime to the streets in the Industrial Park as well. If the City does not fix these issues now, there would be future street failures; therefore eventually streets need to be fixed. Mr. Guerra advised that City Engineer was available for any questions, recommended approval.

Comm. Medina asked City Engineer why this was not checked before work was commenced. Bill Ueckert, City Engineer, responded based on GeoTech results, he did borings at about 3' depth and no water table was encountered at all throughout the project itself. Therefore plan specifications were developed on determinations that there would be no water table involvement. However, due to rains in June and July, the water table came up based on GeoTech information. GeoTech personnel went out and did borings again and the water table rose almost 3 to 4 feet because of the rains.

Comm. Medina further expressed concern about the two recent change orders amounting to approximately \$160,000 and stated this should have been avoided with an in-house Engineer. Mr. Ueckert stated he did not foresee any water table coming-up and stated GeoTech results were done back in February or March and water table then was below 4 to 5 feet. Mr. Ueckert stated he did the correct investigation before and after.

Comm. Guajardo asked what would happen after the lime is added. Mr. Ueckert responded when lime is mixed to caliche based material, it becomes similar to concrete.

Comm Carrillo stated if it rains again we would have this problem in the future as the area is prone to water rising.

Edward Wylie stated they would order GeoTech to go every mile to get reading on where the water table is and through the development processes, they would make those changes. Mr. Wylie further stated lime would be included in future projects.

Comm. Carrillo **moved** to approve. Comm. Maldonado seconded the motion and when put to a vote, it carried by majority vote of four (4) ayes and two (2) nays. Comm. Medina and Comm. Guajardo voted against the motion.

ITEM 8 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH MEDIA CHOICE FOR DIGITAL BILLBOARDS FOR ADVERTISEMENT SERVICES (EVENTS CENTER)

Juan Guerra, City Manager, introduced the item and stated this pertains to three billboards in the region. He further stated billboards are sold to promoters to obtain funds back to the City and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH TEXAS SPORTSMAN FOR ADVERTISEMENT SERVICES (EVENTS CENTER)

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

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AMENDMENT OF CONTRACT WITH JAVIER HINOJOSA ENGINEERING FOR HI-LINE ROAD PROJECT (ENGINEERING)

Juan Guerra, City Manager, introduced the item and briefly explained this was to extend improvements on Hi-Line Road to the end of road towards Jackson Road. He further stated this was an increase of \$7,500 to engineer contract and recommended approval.

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

D) CONSIDERATION AND ACTION, IF ANY, ON SUPPLEMENTAL EASEMENT AND RIGHT OF WAY REQUEST FROM AEP TEXAS CENTRAL COMPANY AND AUTHORIZE PAYMENT IN THE AMOUNT OF \$1,125.00 TO CITY OF PHARR (ENGINEERING)

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

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

E) CONSIDERATION AND ACTION, IF ANY, AWARDED PROPOSAL FOR CONSULTING SERVICES/SERVICING AGENCY FOR HEALTH INSURANCE (HR)

Juan Guerra, City Manager, introduced the item and briefly stated due to a major increase to our health insurance rates, the City went out for bids. He stated staff recommended self-insured program with GEF Financial Group.

Comm. Carrillo moved to award proposal to GEF Financial Group as recommended. Comm. Bracamontes seconded the motion and when put to a vote, it carried unanimously.

F) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH DAILEY WELLS COMMUNICATIONS FOR PROFESSIONAL SERVICES TO CHANGE ALL RADIOS AND INFRASTRUCTURE TO COMPLY WITH THE FEDERAL MANDATE (IT)

Juan Guerra, City Manager, introduced the item and stated this was a federal requirement in the change of our frequencies and recommended approval.

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

G) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH ENVIRO-LITE SOLUTIONS, LLC. FOR LIGHTING IMPROVEMENTS TO CITY FACILITIES (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and stated that this was for consulting services at no cost to the City to analyze the lighting of all city buildings. He stated the results of the analysis would be to see the cost savings and possibly move everything to LED. He further recommended approval.

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

H) CONSIDERATION AND ACTION, IF ANY, ON COLLECTIVE BARGAINING LABOR AGREEMENT BETWEEN PHARR POLICE BARGAINING UNIT MEMBERS AND THE CITY OF PHARR FOR FY2015-2016 THRU FY2018-2019 (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and highlighted the major changes to the agreement were increased in base pay and increase of CID Investigators to twenty-six (26). He further recommended approval.

Comm. Medina moved to approve. Comm. Guajardo 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

Mayor Hernandez stated the time being 5:32 pm; 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 thru 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 5:46 pm; the board had completed its closed session and would be resuming the open meeting.

Jacob Salinas, Fire Marshal, reported the 14th Annual Fire Fest would be held on Saturday, October 24, 2015 at 6600 S. Cage Blvd. and extended an invitation to everyone to attend.

ITEM 12 ADJOURNMENT

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Guajardo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:49 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 20th DAY OF OCTOBER, 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: December 1, 2015