

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
TUESDAY, NOVEMBER 3, 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, November 3, 2015 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Roberto Carrillo
Comm. Oscar Elizondo
Comm. Edmund Maldonado, Jr.
Comm. Mario Bracamontes

BOARD OF COMMISSIONERS ABSENT: Comm. Eleazar Guajardo
Comm. Ricardo Medina

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
Lenny Perez, Fire Chief
Melanie Cano, Development Services Dir.
Roy Garcia, Public Works Director
David Garza, Public Utilities Director
Roel Garza, PAL/Parks & Rec. Dir.
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jason Arms, IT 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 5:01 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 moved to excuse Comm. Guajardo and Comm. Medina. 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)

Elva Michals, Pharr Community Theater, thanked the Commission for their support on expanding cultural activities. She stated after 20 years, they will be leaving town to Ohio. Juan Guerra, City Manager, thanked Mrs. Michals for their services to the community. Comm. Maldonado echoed Mr. Guerra's comments.

John O'Brian, Tip-O-Tex resident, stated a petition was submitted on March 2013 for a stop light at the intersection of Sioux Road and Sugar Road. He thanked the Commission and Public Works staff for installing the traffic lights.

ITEM 2 PROCLAMATIONS:

A) PRESENTATION OF PROCLAMATION PROCLAIMING VETERAN'S DAY

Comm. Carrillo read Proclamation proclaiming November 11, 2015 as Veterans Day and presented proclamation to Juan Cedillo, Hidalgo County RSVP Project Director. Mr. Cedillo thanked the Commission for the recognition and presented a poster honoring the veterans to Mayor Hernandez.

B) PRESENTATION OF PROCLAMATION PROCLAIMING CLASS OF 1966

Mayor Hernandez read Proclamation proclaiming November 6, 7 and 8, 2015 as Class of 1966 Day for celebrating their 50th class reunion. Jesse Vela, PSJA ISD Board Member, received the proclamation on behalf of Class of 1966 and thanked City Commission for the recognition.

ITEM 3 CITY MANAGER'S REPORTS:

- A) City Engineer's Report
- B) City events of interest
- C) Presentation of The Warren Group- Pharr Research & Development Center
- D) Presentation of UTRGV – Update on School of Medicine and MOU

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, extended an invitation to everyone to attend the Veterans Day Parade on Saturday, November 7th, 2015.

Rogelio Garcia, Boggus Ford Events Center Director, introduced Larry Galvan and Bill Barber members of the American Legion Post 101. Mr. Galvan shared some history of the Post and thanked the Commission for their continued support to the veterans. Mr. Barber went over their programs and services and explained the importance of interacting with community leaders. Mr. Barber further stated he was happy to be part of this year's parade.

At this time, Juan Guerra, City Manager presented a check in the amount of \$3,000 donation on behalf of HEB to the American Legion Post 101.

Laura Warren, The Warren Group, presented a PowerPoint presentation on the proposed Pharr Research and Development Center. She stated the proposed center would be located on a 5-acre tract of land on West Dicker Road and went over the site plan and the three options and details of construction costs.

Juan Guerra, City Manager, called upon representatives of UTRGV for an update on medical school and MOU.

Veronica Gonzalez Villarreal, Vice-President for Governmental and Community Relations at the University of Texas Rio Grande Valley, introduced Richard Sanchez, Associate Vice-President, and Dean of Medical School, Francisco Fernandez.

Veronica Gonzalez thanked the City of Pharr for the support and contribution to the UTRGV Medical School and went over their milestones. She stated last month they received preliminary accreditation from LCME for student recruitment and to date, over 2,500 students have applied but only 50 will be admitted. She also went over the faculty, staff, and volunteers for basic science and clinical positions and reported on the

building locations in Edinburg and Harlingen and other proposed facilities coming soon. Ms. Gonzalez further asked the Commission for their continued support in addressing the healthcare needs in the community.

Juan Guerra, City Manager, introduced new Fire Chief Lenny Perez. Chief Perez addressed the board thanked the Commission for the opportunity given to him to lead the Fire Department.

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 OCTOBER 6, 2015 – REGULAR CALLED MEETING (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ESTABLISHING POLICIES AND PROCEDURES FOR THE USE AND/OR DISPOSITION OF CITY PROPERTY (DEVELOPMENT SERVICES) – FINAL READING**
- C) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM ST. ANNE CHURCH TO CLOSE STREETS FOR THEIR ANNUAL FALL FESTIVAL ON SUNDAY, NOVEMBER 8, 2015 FROM 12:00 NOON TO 10:00 PM (PUBLIC WORKS)**
- D) CONSIDERATION AND ACTION, IF ANY, ON PSJA EDUCATION FOUNDATION ANNUAL GALA FOR \$5,000 PLATINUM SPONSORSHIP (BRIDGE)**
- E) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM TXDOT FOR RIGHT OF WAY DEFICIT BALANCE DUE IN THE AMOUNT OF \$6,900 FOR SAM HOUSTON STREET IMPROVEMENTS PROJECT (CAGE TO VETERANS) (ENGINEERING)**
- F) CONSIDERATION AND ACTION, IF ANY, ACCEPTING A BALANCE AMOUNT OF \$8,715.99 FROM TXDOT FOR SAM HOUSTON STREET IMPROVEMENTS PROJECT (CAGE TO VETERANS) (ENGINEERING)**
- G) CONSIDERATION AND ACTION, IF ANY, ON TRMI COMPUTERIZED TOLL SYSTEM MAINTENANCE AGREEMENT FOR PHARR INTERNATIONAL BRIDGE (BRIDGE)**
- H) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD TO UTILIZE JOSE “PEPE” SALINAS CIVIC CENTER ON TUESDAY, NOVEMBER 17, 2015 TO CELEBRATE “PARENTAL ENGAGEMENT DAY” (PARKS & REC)**
- I) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM HIDALGO COUNTY HEAD START TO UTILIZE JOSE “PEPE” SALINAS CIVIC CENTER THE WEEK OF APRIL 10-14, 2016 (PARKS & REC)**
- J) CONSIDERATION AND ACTION ON PLANNING & ZONING CASES:**

PUBLIC HEARINGS:

1. CNMK Texas Properties, LLC, d/b/a Cinemark El Centro Mall 16, 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 16.317 acre tract of land out of Lot 3, El Centro Mall No. 3 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 600 North Jackson Road. CUP#131046

PLATS:

2. Melden & Hunt Inc., representing Domain Development Corporation, Shavi Mahtani – Director; El Pato Mexican Food, LP, Terry Van Burkleo – Chief Executive; R.C.J.V. Development, Rick Caballero – Manager, requested preliminary and final plat approval of the proposed Amended Plat of Jackson Ridge Court Subdivision Phase III. The property is legally described as being a re-subdivision of 6.565 acres out of Jackson Ridge Court Subdivision Phase III, Pharr, Hidalgo County, Texas. The property is located at the 1000 Block of South Jackson Road. SUB#151023

Juan Guerra, City Manager, opened the public hearing. No one signed-up for public hearing.

Juan Guerra, City Manager, recommended approval of items 4A thru 4J(2) under the consent agenda.

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

Ordinance No. O-2015-50 is 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)

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

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2014-52, FOR THE DEPARTMENT OF DEVELOPMENT SERVICES FEE SCHEDULE (DEVELOPMENT SERVICES)

Mayor Hernandez introduced the item. Juan Guerra, City Manager, briefly stated this was the first reading of the ordinance and recommended approval.

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, ON ORDINANCE AMENDING ORDINANCE NO. O-2006-39 DECREASING MEMBERS OF THE TIERRA DEL SOL GOLF ADVISORY BOARD FROM (9) TO (7) MEMBERS (PARKS & REC.)

Mayor Hernandez introduced the item. Juan Guerra, City Manager, recommended approval.

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

Ordinance No. O-2015-51 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.) (TABLED)

Mayor Hernandez introduced the item.

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

Juan Guerra, City Manager, stated this was in fulfillment of the previous amended ordinance and recommended appointment of seven (7) members.

Comm. Carrillo moved to appoint Leon Miller, Xavier Garcia, Nancy Thomas, Kenneth Nissen, George Gonzalez, Oscar Villagomez, and Javier Martinez to the Tierra Del Sol Golf Course Advisory Board. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-95 is filed with the City Clerk's Office.

E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION SUBMITTING ENTITLEMENT VOTES FOR CANDIDATE(S) TO THE APPRAISAL DISTRICT BOARD OF DIRECTORS 2016-2017 (ADMINISTRATION)

Mayor Hernandez introduced the item.

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

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DECLARING EXPECTATIONS TO REIMBURSE EXPENDITURES WITH PROCEEDS OF INTENDED FUTURE DEBT (FINANCE)

Mayor Hernandez introduced the item. Juan Guerra, City Manager, recommended approval.

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

Resolution No. R-2015-96 is filed with the City Clerk's Office.

ITEM 6 ADMINISTRATIVE:

A) CONSIDERATION AND ACTION, IF ANY, ON IMPLEMENTATION OF THE FRAUD REPORTING POLICY & PROCEDURES (FINANCE)

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON PETITION REQUESTING A STREET NAME CHANGE (NORTH GAY DRIVE TO LOS UNICOS STREET) WITHIN THE CORPORATE CITY LIMITS OF PHARR (DEVELOPMENT SERVICES)

Juan Guerra, City Manager, introduced the item and stated staff recommended denial.

Comm. Carrillo moved to deny. Mayor Hernandez seconded the motion and when put to a vote, it carried unanimously.

C) CONSIDERATION AND ACTION, IF ANY, AWARDED PROPOSAL FOR EMPLOYEE BENEFIT PLANS (HR)

Juan Guerra, City Manager, introduced the item and stated staff recommended approval of fully funded option with Blue Cross Blue Shield to include buy-up option and bariatric benefit.

Comm. Carrillo moved to approve as recommended. Comm. Maldonado seconded the motion and when put to a vote, it carried by majority vote of four (4) ayes and one (1) abstention. Mayor Hernandez abstained from voting.

ITEM 7 PURCHASING:

A) CONSIDERATION AND ACTION, IF ANY, ON PAYMENT IN THE AMOUNT OF \$158,934 TO TXDOT FOR CONSTRUCTION AND ENGINEERING COSTS FOR THE CITY OF PHARR BICYCLE ACCESSIBLE IMPROVEMENTS PROJECT ACCORDING TO THE ADVANCE FUNDING AGREEMENT (ENGINEERING)

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

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

ITEM 8 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT BETWEEN THE CITY OF PHARR AND ZAMBELLI FIREWORKS MANUFACTURING, CO. FOR FIREWORK DISPLAY ON SATURDAY, NOVEMBER 7, 2015 IN CELEBRATION OF VETERANS DAY (EVENTS CENTER)

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

Comm. Carrillo 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, AUTHORIZING STAFF TO NEGOTIATE CONTRACT TO AN ENTERTAINMENT GROUP FOR HUB PHEST ON SATURDAY, APRIL 2, 2016 (EVENTS CENTER)

Juan Guerra, City Manager, introduced the item and stated staff recommended Pesado at \$60,000 or Intocable at \$47,500.

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

C) CONSIDERATION AND ACTION, IF ANY, ON ADVANCE FUNDING AGREEMENT AMENDMENT #1 FOR THE INTELLIGENT TRANSPORTATION SYSTEM (ITS) AT PHARR/REYNOSA INTERNATIONAL BRIDGE (ENGINEERING)

Juan Guerra, City Manager, introduced the item and recommended approval to cancel the Advance Funding Agreement.

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

D) CONSIDERATION AND ACTION, IF ANY, ON ADVANCE FUNDING AGREEMENT #2 FOR INTERNATIONAL BRIDGE EXPANSION IMPROVEMENTS AT PHARR/REYNOSA INTERNATIONAL BRIDGE (ENGINEERING)

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

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

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT WITH PRODIGY CONSTRUCTION MANAGEMENT LLC FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE PHFC JACKSON PLACE APARTMENTS PROJECT (ENGINEERING)

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

F) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT WITH PRODIGY CONSTRUCTION MANAGEMENT LLC FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE SOUTH PHARR DEVELOPMENT AND RESEARCH CENTER (ENGINEERING)

Juan Guerra, City Manager, introduced the item stated no action on contract but requested authorization to advertise for qualifications for construction management services.

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

G) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN CITY OF PHARR AND PHARR COMMUNITY THEATER (PCT) FOR THEATER PRODUCTIONS AND CULTURAL PROGRAMS (ADMINISTRATION)

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

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

H) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN CITY OF PHARR AND ACTIVE NETWORKS FOR PROFESSIONAL SERVICES AT THE PARKS AND RECREATION DEPARTMENT (IT)

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

Comm. Carrillo moved to approve as recommended. Comm. Elizondo 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 4 - 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. Carrillo moved to adjourn. Comm. Elizondo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:00 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYORSTATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 3rd DAY OF NOVEMBER, 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 14, 2015