

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, DECEMBER 21, 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 Monday, December 21, 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.

BOARD OF COMMISSIONERS ABSENT: Comm. Ricardo Medina
Comm. Mario Bracamontes

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Asst. City Manager
Hilda Pedraza, City Clerk
William Ueckert, City Engineer
Karla Moya, Finance Director
Ruben Villescas, Police Chief
Lenny Perez, Fire Chief
Melanie Cano, Development Services Dir.
Rene Saenz, Asst. Public Works Director
David Garza, Public Utilities Director
Sergio Alanis, Asst. Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Luis Bazan, Bridge Director
Roy S. Garcia, Events Center Director

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1 CALL TO ORDER:

Mayor Hernandez called the meeting to order at 5:07 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. Elizondo moved to excuse Comm. Medina and Comm. Bracamontes. 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 Pastor Magallan said the prayer.

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

Rogelio Paz addressed the board and stated he is a resident of Pharr and he was a former drug addict. Mr. Paz thanked Pastor Rolando Valdez for opening up the doors and helped him change his life.

Rolando Ramirez addressed the board and stated he was a former drug and alcohol addict. He also thanked Pastor Rolando Valdez for opening up the doors to the home program at Valley Ministries.

Juan Alberto Gomez addressed the board and stated he was at the home program for approximately 5 years. He stated he was an alcoholic and Pastor Rolando Valdez with Victory Temple Ministries helped him change his life. He stated we needed the home program to continue helping men like him.

Henry Vela addressed the board and stated he was at the Victory Home program for approximately 6 months. He further stated he was a drug and alcohol addict and thanked Pastor Rolando Valdez for restoring his life and his marriage. He also mentioned the home program was needed for others to provide hope and change for their lives. He currently resides in Elsa but works in Pharr at Odessa Pumps. He thanked the Commission for providing him the opportunity to speak.

Jose Mendoza addressed the board and stated he was 34 years old and he used to be a drug, alcoholic addict and gang member. He stayed at the home and joined the program. He thanked Pastor Rolando Valdez for all his work and dedication to the program and stated Pastor Rolando Valdez invested a lot of time, work and money into program.

Comm. Maldonado thanked the gentlemen for being so courageous and coming-up to speak.

Mayor Hernandez made a point of clarification for people in the audience and those watching from home. He stated it was a great experience and the City Commission and Mayor welcomes it as a whole. He stated the Commission was very excited to have these organizations in our City and that the board would be looking into the proposals submitted by both organizations, Outcry in the Barrio and McAllen Ministries. He further stated it was the taxpayers of the City of Pharr that are very generous to have these funds that allow these organizations in our City. He mentioned both organizations have the same goal in mind and the City of Pharr intends to keep supporting this program. Lastly he mentioned once the proper documentation is received, the City Commission would look at it fairly and objectively and reach a decision.

ITEM 2 CITY MANAGER'S REPORTS: *(City Manager's Administrative Reports and discussion, if any, with governing body. The City Manager may also assign a designated spokesperson for any particular listed topic)*

- A) City Engineer's Report
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of October 2015 Sales Tax Report
- D) Submission of November 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. Mr. Guerra requested status on Jones Box Pedestrian Bridge project.

William Ueckert, City Engineer, addressed the board and mentioned that later on the agenda was an item for consideration in awarding bid for this project. He mentioned two (2) bids were received and staff was recommending the lowest bid for project. Mr. Ueckert stated he anticipated a start construction date in mid-January and he would be giving the construction company a 120-day timeframe to complete project. Mr. Ueckert also provided status on the Hi-Line Road by stating the excavation process had been started by Public Works Department.

Comm. Elizondo requested status on the lighting project for Eldora and Sugar Rd. Mr. Ueckert stated plans have been submitted for review from Public Works and he anticipates the first part of January to start advertisement for project and 6 months for completion since equipment is needed to be ordered after bid is awarded.

Juan Guerra, City Manager, introduced Pharr Municipal Monthly Report and stated Judge Martinez was available for any questions. He stated the Court collections were up by \$16,000.00 from last year.

Juan Guerra, City Manager, introduced the December 2015 Sales Tax Report and stated sales tax was up 4%.

Juan Guerra, City Manager, introduced the November 2015 Tax Collection Report and reported both collection and delinquent tax were down by 1.2% and delinquent by 1.6% respectively.

Juan Guerra, City Manager, introduced City Events of Interest and reported on the following events:

- Blue Santa Toy Drive, December 22, 2015
- Blue Santa Teddy Bear Giveaway at DHR Hospital, December 24, 2015
- Firemen on the Roof Canned Food Drive, December 21, 2015
- Fire Department Toy Giveaway, December 22, 2015
- Winter Fantasy DJ Concert, December 26, 2015
- Eli Young Country Concert, December 27, 2015
- City of Pharr Year End Review Press Conference, December 23, 2015

Comm. Maldonado thanked the Pharr Police Department and Fire Department for their assistance at the St. Frances Church event.

ITEM 3 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, REQUEST FROM HIDALGO COUNTY ELECTIONS DEPARTMENT FOR USE OF JOSE "PEPE" SALINAS CIVIC CENTER AND LAS MILPAS COMMUNITY CENTER AS EARLY VOTING POLLING LOCATIONS FOR THE UPCOMING PRIMARY ELECTION ON TUESDAY, FEBRUARY 16, 2016 TO FRIDAY, FEBRUARY 26, 2016 FROM 7:00AM TO 7:00PM. (ADMINISTRATION)

B) CONSIDERATION AND ACTION ON PLANNING & ZONING CASES:

PUBLIC HEARINGS:

1. **Edwardo Lee Corpus, representing Abraham V. Markose and Biju M. Abraham, owners, requested a change of zone from Residential Townhouse District (R-TH) to Medium Density Multi-Family Residential District (R-3). The property is legally described as being Lot 34, Beamsley Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1100 Eisenhower Street. COZ#151168**
2. **Maria Mayela Garza, d/b/a Colonia Cinco Estrellas, L.L.C., 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 Lots 27 through 30, Block 2, Los Marineros Subdivision Phase I, Pharr, Hidalgo County, Texas. The property's physical address is 2200 South Cage Boulevard. CUP#151169**
3. **Maria Mayela Garza, d/b/a Friends All Parties, L.L.C., 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 Lot 20, Block 2, Los Marineros Subdivision Phase I, Pharr, Hidalgo County, Texas. The property's physical address is 2302 South Cage Boulevard. CUP#151170**
4. **Spoor Engineering Consultants, Inc., representing Rolling Frito-Lay Sales, LP, requested a change of zone from General Business District (C) to Heavy Commercial District (H-C). The property is legally described as being a 3.72 acre tract of land, more or less, out of Lot 1, Adventure Plaza Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1500 and 1700 Block of North Jackson Road. COZ#151171**

PLATS:

5. **Spoor Engineering Consultants, Inc., representing Trey Malachek, Managing Member, requested final plat approval of the proposed FJRS Subdivision. The property is legally described as being a 2.99 acre tract of land out of Lots 8, 9, & 10, and a portion of 40 feet dedicated street lying South of and adjacent to Lots 8, 9, & 10, John Makens Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1600 and 1700 Block of Interstate 2 E (US HWY 83). SUB#150715**

Juan Guerra, City Manager, opened the public hearing and stated no one signed-up to speak. Therefore public hearing was closed.

Juan Guerra, City Manager, further recommended approval of items 3A thru 2B(5) 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 Nos. O-2015-58 and O-2015-59 are filed with the City Clerk's office.

REGULAR AGENDA – OPEN SESSION:

ITEM 4 ORDINANCES AND RESOLUTIONS:

A) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ADOPTING PETITIONS FOR VOLUNTARY ANNEXATION AND AUTHORIZING THE INTERIM DIRECTOR OF DEVELOPMENT SERVICES TO PREPARE SERVICE PLANS (DEVELOPMENT SERVICES)

Juan Guerra, City Manager, introduced the item and briefly stated that this was for annexation of some of land that was purchased for the STC building and some of the land was outside city limits. He further recommended approval.

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

Resolution No. R-2015-109 is filed with the City Clerk's office.

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION RE-SCHEDULING THE CITY COMMISSION MEETING OF MONDAY, JANUARY 4, 2016 (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and stated January 4, 2016 would be the first Monday of the month and was right after the holidays. Therefore, he recommended re-scheduling the City Commission meeting of Monday, January 4, 2016 to January 11, 2016.

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

Resolution No. R-2015-110 is filed with the City Clerk's office.

ITEM 5 ADMINISTRATIVE:

A) CONSIDERATION AND ACTION, IF ANY, ON AWARDED BID FOR THE JONES BOX PEDESTRIAN BRIDGE PROJECT (ENGINEERING)

Juan Guerra, City Manager, introduced the item and stated two (2) bids were received and recommended Foremost Paving in the amount of \$296,571.00.

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

At this time, Mr. Guerra stated that they would deviate from agenda and go to item 6B. There was no objection.

ITEM 6 CONTRACTS/AGREEMENTS:

B) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT SOUTH TEXAS COLLEGE, PSJA ISD AND THE CITY OF PHARR FOR DEVELOPMENT OF SOUTH TEXAS COLLEGE REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and briefly stated this was the land that was purchased at \$2.5 million for the STC campus in Pharr and recommended approval.

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

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO LEASE AGREEMENT REGARDING PROPERTY AT 206 E. CHEROKEE (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and stated McAllen Victory Ministries and Outcry in the Barrio were requesting to use the building at 206 E. Cherokee. He stated both entities have been leasing the building since 1997 for \$1.00 a year. He then called upon Ruben Villescas, Police Chief, to share his experience with the program.

Ruben Villescas, Police Chief, addressed the board and stated he had been working with both organizations and have heard personal testimonies from some of the people that have been helped by these organizations and the tremendous work they have done. He further stated the first project the Outcry in the Barrio outlined was to reach out to the young people who followed with the emphasis of the program "Say No to Drugs" and combating drug use amongst the young people in our community and in the schools. Chief Villescas stated he understands the City would have to consider one organization and respectfully has spoken with both pastors and respects both for everything they offer our City. He stated he was asked to provide a recommendation and from the history he has heard, he stated that Outcry in the Barrio extends to California and Texas and they have other chapters here in the Rio Grande Valley. Therefore, each one of them have their own set of resources and support and each pastor can stand before you and outline their services. Chief Villescas recommendation was for the City to consider Outcry in the Barrio as a means to provide rehabilitation services to young people and adults.

Comm. Maldonado asked if there was a way that they could co-exist and work in partnership. Both pastors stated that it was not possible.

Juan Guerra, City Manager, asked how many residents of Pharr each organization serviced. Outcry in the Barrio stated out of 300 people, 233 were from the City of Pharr and McAllen Victory Ministries stated out of 300 people, 75 of them were from the City of Pharr.

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

ITEM 7 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 - 6

The time being 5:39 pm, Mayor Hernandez stated the commission would be entering a closed session.

ITEM 8 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN CLOSED SESSION

The time being 5:43 pm, Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 6 A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO LEASE AGREEMENT REGARDING PROPERTY AT 206 E. CHEROKEE (ADMINISTRATION)

Juan Guerra, City Manager, re-introduced the item and recommended Outcry in the Barrio subject to providing quarterly reports and the number of people served.

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

ITEM 9 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 5:43 p.m.

CITY OF PHARR

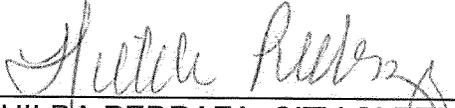


AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 21st DAY OF DECEMBER, 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: January 11, 2016