

**MINUTES
BOARD OF COMMISSIONERS
REGULAR-SPECIAL CALLED MEETING
MONDAY, JANUARY 11, 2016 AT 5:06 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 Monday, January 11, 2016 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Mayor Pro-Tem Oscar Elizondo, Jr.
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, City Manager
Ed 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, HR Director
Ruben Villescas, Police Chief
Lenny Perez, Fire Chief
Melanie Cano, Development Services
Roy Garcia, Public Works Director
David Garza, Public Utilities Director
Roel Garza, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jason Arms, IT Director
Roy S. Garcia, Boggus Ford Events Center
Luis Bazan, Bridge Director
Sergio Contreras, PEDC Director

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1 CALL TO ORDER:

Mayor Hernandez called the meeting to order at 5:06 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 members were present.

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)

Kenneth C. Fletcher thanked the Board for his appointment as member of the Planning & Zoning Commission. Mr. Fletcher stated there were houses next to the heavy commercial district on Anaya Road and stated a barrier/buffer should be required

to avoid sound. Mr. Fletcher also stated he was working on a tree conservation program and would be presenting it to them.

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) City Events of Interest

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

There being no questions, Juan Guerra, City Manager, went over the City of events of interest:

- Chris Jansen Concert at Boggus Ford Events Center on January 15, 2016
- Star GALA at the Boggus Ford Events Center on January 16, 2016
- Public Works Operation Clean Sweep on Saturday, January 30, 2016
- Public Works Environmental Division hosting a Storm water Training Class on January 26 – 28, 2016

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) APPROVAL OF MINUTES FOR DECEMBER 1, 2015 – REGULAR CALLED MEETING, DECEMBER 8, 2015 – SPECIAL CALLED MEETING, DECEMBER 14, 2015 – SPECIAL CALLED MEETING AND DECEMBER 21, 2015 – REGULAR CALLED MEETING. (ADMINISTRATION)
- B) CONSIDERATION AND ACTION, IF ANY, ON MEMBERSHIP RENEWAL FOR THE RIO GRANDE VALLEY PARTNERSHIP-CHAMBER OF COMMERCE IN THE AMOUNT OF \$2,500. (BRIDGE)
- C) CONSIDERATION AND ACTION, IF ANY, ON MEMBERSHIP RENEWAL FOR NORTH AMERICAN STRATEGY FOR COMPETITIVENESS (NASCO) IN THE AMOUNT OF \$5,000. (BRIDGE)
- D) CONSIDERATION AND ACTION, IF ANY, ON MEMBERSHIP RENEWAL FOR 2016 NATIONAL CUSTOMS BROKERS & FORWARDERS ASSOCIATION OF AMERICA IN THE AMOUNT OF \$731.15. (BRIDGE)
- E) CONSIDERATION AND ACTION, IF ANY, ON SPONSORSHIP FOR TEXAS PRODUCE HALL OF FAME BANQUET ROUND TABLE IN THE AMOUNT OF \$975. (BRIDGE)
- F) CONSIDERATION AND ACTION, IF ANY, FOR ADVERTISING IN 2016 NASCO OUTLOOK GUIDE IN THE AMOUNT OF \$1,500. (BRIDGE)
- G) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR REPAIR OF BRIDGE EXPANSION JOINTS. (BRIDGE)
- H) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES TO UPDATE THE EXISTING COMPREHENSIVE PARKS MASTER PLAN. (PARKS & REC.)

I) CONSIDERATION AND ACTION, IF ANY, ON SPECIAL EVENT APPLICATION BY CARSON & BARNES CIRCUS FOR A CIRCUS ON FRIDAY, FEBRUARY 19, 2016 TO SUNDAY, FEBRUARY 21, 2016 AT 1200 W. NOLANA LOOP (ADMINISTRATION)

J) CONSIDERATION AND ACTION ON PLANNING & ZONING CASES:

PUBLIC HEARINGS:

1. Blanca Lopez, d/b/a Rosita's Mexican Kitchen, 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 the S150' of Lots 9 and 10 and all of Lots 11, 12, 13, 14, Block 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 915 West Ferguson. CUP#120963
2. Rolando Limon d/b/a Poncho's 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 7, Henderson Plaza Subdivision Phase II, Pharr, Hidalgo County, Texas. The property's physical address is 808 North Cage Boulevard. CUP#991129
3. Mauricio Jaramillo, d/b/a Regency Hall, requested renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C). The property is legally described as Lots 10 and 11, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 207 East Ferguson Avenue. CUP#041278
4. Cantina Bar and Grill, 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 Lot 187 Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6905 South Jackson Road. CUP#141273
5. Charles L. Mercer, d/b/a Carino's Italian Grill, 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 Lots 4A and 5A, Paradise Commercial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 601 South Jackson Road. CUP#021162
6. Thomas E. Phillips, Trustee, filed with the Planning and Zoning Commission a request for a change of zone from Limited Industrial District (L-I) to High Density Multi-Family Residential District (R-4). The property is legally described as being a 14.74 acre tract of land out of Lot 6, Block 5, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 1600 and 1900 Block of West Sioux Road. COZ#151273

PLATS:

7. Quintanilla, Headley and Associates, Inc., representing Sonya A. Gonzalez, requested final plat approval of the proposed Replat of Lot 31, Addition to Las Milpas Subdivision. The property is legally described as a 1.00 acre tract of land being all of Lot 31, Addition to Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 300 Block of West Las Milpas Road. SUB#131130
8. M.E.G. Engineers, representing, Pastor Rick Reyes, requested final plat approval of the proposed Templo Bethel Subdivision. The property is legally described as being a 3.91 acre tract of land, out of Lot 181, Kelly-Pharr Subdivision of Porciones 69 and 70, Pharr, Hidalgo County, Texas. The property's physical address is 400 South Veterans Boulevard. ("I" Road) SUB#140716
9. Sam Engineering & Surveying Inc., representing David D. Quinones and Sonia Quinones, requested final plat approval of the proposed Quinones Commercial Subdivision. The property is legally described as being a 1-Lot containing the South 30.0 feet of Lot 10 and the North 17.5 feet of Lot 11, Gregory Subdivision, an addition to the City of Pharr, Hidalgo County, Texas. The property is located between the 300 and 400 Block of North Veterans Boulevard. SUB#150412

Juan Guerra, City Manager, introduced the item 3A – 3J(9) and recommended approval.

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

Ordinance No. O-2016-01 is filed with the City Clerk's Office.

REGULAR AGENDA – OPEN SESSION:

ITEM 4 ORDINANCES AND RESOLUTIONS:

A) PUBLIC HEARING: SOLICITATION OF COMMENTS FROM THE GENERAL PUBLIC FOR THE 160% AMI INCOME RESTRICTIONS FOR INCLUSION IN THE STATE QUALIFIED TENANTS CRITERIA PROGRAM GUIDELINES FOR THE JACKSON PLACE APARTMENTS

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

B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPROVING PROGRAM GUIDELINES AND APPROVING APPLICATION OF THE ACT OF CERTAIN RESIDENTIAL DEVELOPMENT FOR THE JACKSON PLACE APARTMENTS (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item 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-2016-02 is filed with the City Clerk's Office.

At this time, Juan Guerra, City Manager, stated they would deviate from the agenda and go to Item 5A. There was no objection.

ITEM 5 A) CONSIDERATION AND ACTION, IF ANY, ON BIDS RECEIVED ON STRUCK-OFF PROPERTIES DESCRIBED AS TRACT 1: LOT 6, BLOCK 4, HUASTECA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS AND TRACT 2: LOT 7, BLOCK 4, HUASTECA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS; AN 0.11 ACRE BEING PART OF LOT 187, KELLY-PHARR SUBDIVISION, HIDALGO COUNTY, TEXAS; LOT 45, BLOCK 2, HIDALGO COUNTY PARK ADDITION, HIDALGO COUNTY, TEXAS; LOT 1, AND THE ONE-HALF OF LOT 2, BLOCK 132, EVANS SUBDIVISION, HIDALGO COUNTY, TEXAS; LOTS 7 AND 8 BLOCK 155 OF FIR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS; LOT 147, SOL BRILLA SUBDIVISION, PHASE II, PHARR, HIDALGO COUNTY, TEXAS; AND LOT 26, BLOCK 26, PLANTATION SOUTH SUBDIVISION, UNIT 5, PHARR, HIDALGO COUNTY, TEXAS. (FINANCE)

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

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

ITEM 4 C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPROVING THE BIDS RECEIVED ON TAX RESALE PROPERTIES ON NOVEMBER 3, 2015 (FINANCE)

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-2016-03 is filed with the City Clerk's Office.

ITEM 5 ADMINISTRATIVE:

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE ADDITIONAL ENGINEERING SERVICES WITH TEDSI INFRASTRUCTURE GROUP, INC. FOR OWASSA RD. (JACKSON TO US 281) (ENGINEERING)

Juan Guerra, City Manager, introduced the item and briefly stated this was to continue the expansion of Owassa Road and the additional services were for the preparation of the metes and bounds and plat survey of the parcels of land for right of way. He further stated the additional services amount was \$58,700.00 and recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, AWARDED BID FOR NAVARRO STREET IMPROVEMENTS PROJECT (ENGINEERING)

Juan Guerra, City Manager, introduced the item and stated the winning bid was Texas Cordia Construction at \$817,648.70 and recommended approval.

Comm. Maldonado moved to award bid to Texas Cordia Construction. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

D) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER #3 IN THE DEDUCT AMOUNT OF \$42,277.17 FOR THE CAPOTE AND LAS MILPAS PARKS STREET IMPROVEMENTS PROJECT (ENGINEERING)

Juan Guerra, City Manager, introduced the item and stated the change order was to reduce the cost of project and recommended approval.

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

E) CONSIDERATION AND ACTION, IF ANY, ON ACCEPTANCE OF THE CAPOTE AND LAS MILPAS INDUSTRIAL STREET IMPROVEMENTS WITH FOREMOST PAVING COMPANY AND RELEASE OF FINAL PAYMENT AND RETAINAGE AMOUNT OF \$182,988.10 (ENGINEERING)

Juan Guerra, City Manager, introduced the item and stated that this was to close-out the project and recommended approval.

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

F) CONSIDERATION AND ACTION, IF ANY, ON ACCEPTANCE OF THE SUGAR RD. AND SIOUX RD. TRAFFIC SIGNAL IMPROVEMENTS PROJECT WITH AUSTIN TRAFFIC SIGNAL CONSTRUCTION COMPANY AND RELEASE OF RETAINAGE AMOUNT OF \$4,156.33 (ENGINEERING)

Juan Guerra, City Manager, introduced the item and stated the project was complete and recommended approval.

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

ITEM 6 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN TEXAS DEPARTMENT OF PUBLIC SAFETY AND THE CITY OF PHARR FOR CERTIFICATION ON COMMERCIAL VEHICLE INSPECTION AUTHORITY (POLICE)

Juan Guerra, City Manager, introduced the item and briefly stated this was to train our police officers on commercial vehicle inspection and recommended approval.

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

B) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN INMOBILIARIA JUGAS, S.A. DE C.V. AND THE CITY OF PHARR FOR CAMERA SERVICES AT THE PHARR INTERNATIONAL BRIDGE (BRIDGE)

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

Comm. Guajardo asked if the cameras would be located in the Mexican side. Mr. Guerra stated the four (4) cameras would be located in the Mexican side and it would be very sensitive and restricted. He also stated this was for an annual fee of \$7,800 and would be limited to City of Pharr and law enforcement agencies only.

Comm. Guajardo also asked if there would be any conflict with Mexican authorities. Luis Bazan, Bridge Director, stated the cameras would be located on private property and the agreement would be for one (1) year. He further stated the agreement would allow for the Pharr International Bridge staff to be able to view the camera for any problems with traffic and security issues along the Mexico side of the bridge.

Comm. Maldonado asked if the City of Pharr was leasing property. Mr. Bazan stated the City of Pharr would be leasing a small office space for Policia Federal Preventiva to increase the security along the roadways and cameras would also be used to communicate with the maquila companies for any delays and operational purposes.

There being no further comments, Comm. Carrillo moved to approve. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

C) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN SOUTH TEXAS MEDIATION & CONSULTING AND THE CITY OF PHARR FOR CONSULTING SERVICES TO ANALYZE THE CITY'S "PER CAPITA" ORGANIZATIONAL STRUCTURE (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item and stated that is was a one (1) time fee of \$4,000 to update the report that was created in 2009. He further stated this would give us the efficiency rate on how the City is doing compared to the region and recommended approval.

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

D) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN HOUSING AUTHORITY OF THE CITY OF PHARR AND THE CITY OF PHARR FOR PROFESSIONAL SERVICES (ADMINISTRATION)

Juan Guerra, City Manager, introduced the item.

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 in accordance with the following below:*

The time being 5:22 pm, Mayor Hernandez stated the commission would be entering into closed session.

ITEM 8 RECONVENE into Regular Session, and consider action, if necessary on any item(s) discussed in closed session.

The time being 5:31 pm, Mayor Hernandez stated the commission would be resuming the open meeting.

ITEM 6 D) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN HOUSING AUTHORITY OF THE CITY OF PHARR AND THE CITY OF PHARR FOR PROFESSIONAL SERVICES (ADMINISTRATION)

Juan Guerra, City Manager, re-introduced item and recommended approval as discussed in executive session and subject to City Manager to negotiate at \$0.

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

ITEM 9 ADJOURNMENT.

There being no other business to come before the board, Comm. Elizondo moved to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:32 p.m.

CITY OF PHARR



AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 6th DAY OF JANUARY, 2016 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: February 1, 2016