

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
TUESDAY, SEPTEMBER 2, 2014 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, September 2, 2014 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Leopoldo Palacios Jr.
Mayor Pro-Tem Adan Farias
Comm. Arturo Cortez
Comm. Oscar Elizondo, Jr.
Comm. Edmund Maldonado, Jr.
Comm. Aquiles Garza

BOARD OF COMMISSIONERS ABSENT: Comm. Roberto Carrillo

STAFF PRESENT: Fred Sandoval, City Manager
David Garza, Asst. City Mgr./Utilities Dir.
Hilda Pedraza, City Clerk
Juan Guerra, Chief Financial Officer
Ruben Villescas, Police Chief
Jaime Guzman, Fire Chief
Frank Marin, Parks & Recreation Dir.
Roy Garcia, Public Works Director
Edward Wylie, Pharr Dev. Services Dir.
Raul Garza, Admin. Services Director
Gary Rodriguez, Public Information Officer
Roel Garza, Athletics Director
Tony Sandoval, EDC Asst. Director
Sergio Contreras, External Affairs Dir.
Fred Brouwen, Dir. of Operations

CITY ATTORNEY
CITY ENGINEER

Michael Pruneda, City Attorney
Bill Ueckert, City Engineer

ITEM 1 CALL TO ORDER:

Mayor Palacios called the meeting to order at 5:17 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. Carrillo for being absent. Comm. Maldonado seconded the motion and when put to a vote, it carried unanimously.

B) PLEDGE OF ALLEGIANCE / INVOCATION.

David Garza led in the pledge of allegiance and Ruben Villescas said the prayer.

Mayor Palacios asked for a moment of silence on the passing of Americo Garcia Ocanas, a retired city employee.

ITEM 2 CITY MANAGER'S REPORTS:

- A) City Engineer's Report
- B) City Events of Interest
- C) Legislative/Project Update

Mayor Palacios introduced the item.

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

Comm. Cortez voiced his concern with the flooding issues on Egly Street and Sugar Road and asked if the city had any plans to fix the drainage problems.

Bill Ueckert, City Engineer, reported a meeting had been held earlier today with Fernando Lopez, Pharr Housing Authority, concerning the property on Flag Street and Egly Street and stated the possibility to use it as a detention pond to re-route and alleviate flooding on Egly Street and Sugar Road.

Comm. Elizondo stated the drainage problems had caused flooding to the property of an old lady confined to a wheel chair and asked that an agenda item be placed for the city to purchase the property and use it as a detention pond.

Comm. Farias asked what the capacity of the proposed pond was at the Pharr Housing Authority location and what the timeline to commence the project was.

Bill Ueckert, City Engineer, stated the proposed holding pond would be 150' x 200' in length and width and 9 feet deep.

Edward Wylie, Development Services Director, stated the project could commence as soon as two weeks if the Pharr Housing Authority could clear up some legal matters with their attorneys and land acquisition personnel. He stated the subdivision plat could then be submitted with the Interlocal agreement and placed on the next City Commission agenda. He further stated the design of the holding pond would be a walking area with gentle slopes starting at 2 feet and reaching 9 feet.

Mayor Palacios stated he had received several complaints on South Cage and Juan Balli Road, West Kelly Avenue, and East Las Milpas Road being in bad conditions. Another complaint received was on the sidewalks at Chris Drive and requested staff to look into this.

Bill Ueckert, City Engineer, stated during the budget retreat, three street paving projects were presented for this year totaling approximately \$1 million. He stated one of the proposed projects was the paving of West Kelly Avenue from U.S. 281 to Jackson Road and another location was Juan Balli Road. He added each year the city would be spending approximately \$1 million dollars on street improvements.

Mayor Palacios stated he had been approached by Eddie Anaya of Valley Interfaith who insisted that the city build a library in south Pharr. He stated he informed Mr. Anaya that the city has worked with the school districts to have their libraries open after 5:00 p.m. for the residents to use. Mr. Anaya informed him that the school libraries were beneficial to the students but did not work for the elder population and felt that south Pharr was being overlooked.

Bill Ueckert, City Engineer, stated he had met with him also and informed him of the sidewalk improvement projects on both sides of U.S. 281 from Juan Balli Road to Thomas Road and on to Dicker Road.

Comm. Elizondo stated he had received complaints on potholes on Cherokee and Caffery behind the At Home Store. He stated he believes the potholes were caused by the contractor's heavy equipment and the developer had done a quick fix. He requested that the contractor fixes the damage as soon as possible and discontinue using the streets.

Roy Garcia, Director of Public Works, stated the damage of the road was not due to heavy traffic but rather to the tying into manholes and telephone companies. He stated they have helped the contractor install millings meanwhile the project is completed and then the contractor would install a final layer of asphalt on the streets.

Fred Sandoval, City Manager, explained one of the FEMA shelter dome project was the construction of a library at Jones Box Park but due to the funding and construction costs being too high the city decided to rescind the projects. He further

stated the construction of a library in south Pharr has been in the planning stage for many years and now the city was looking into a stand-alone library to suit the needs of the community. He added the school district has offered to open all campuses in south Pharr with the possibility of bus transportation.

At this time Fred Sandoval, City Manager, recognized Lieutenant Aurora Salinas for her retirement after 29 years of service with the City of Pharr. He congratulated her for her new employment opportunity at the Attorney General Service Office.

Lieutenant Aurora Salinas thanked the Board for the opportunity to work for the City of Pharr and read her retirement letter. She stated she had received an offer from the Texas Attorney General Service Office in Pharr and after consideration accepted the position.

Comm. Maldonado acknowledged Sergeant Reynaldo Lara for also retiring from the City of Pharr last week after 30 years and thanked him for his service.

Ruben Villegas, Police Chief, stated as per Sergeant Reynaldo Lara's request, a small ceremony was held at the Police Department for his retirement. He further extended an invitation to the ceremony planned for Lieutenant Salinas next week at the Police Department.

Ruben Villegas, Police Chief, extended an invitation to all to attend the Pharr Night Out event on Saturday, September 4, 2014 from 6:00 p.m. to 10:00 p.m. at the 100 Block of West Newcombe Street. He stated the purpose of the event was to create awareness against crime and drugs in our community.

Fred Sandoval, City Manager, reported a ribbon cutting for Moonbeans Coffee would be held next Tuesday, September 9, 2014 at 10:00 a.m. He stated funding from USDA RBG Loan was used for re-purposing the old fire station building and Paco Valentin, USDA Area Director, toured the facility and was very impressed.

Fred Sandoval, City Manager, also reported the first scoping meeting with Sergio Contreras and staff was held last week. He also stated he had a meeting with TxDOT District Engineer for possible transportation funding coming to the city.

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 AUGUST 5, 2014 - REGULAR CALLED MEETING AND AUGUST 19, 2014 – REGULAR CALLED MEETING

B) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM POLICE DEPARTMENT TO CLOSE THE 100 AND 200 BLOCKS OF WEST NEWCOMBE AVENUE FROM 11:00 A.M. TO 12:00 MIDNIGHT ON SATURDAY SEPTEMBER 6, 2014 FOR THE PHARR NATIONAL NIGHT OUT EVENT

C) CONSIDERATION AND ACTION, IF ANY, ON PLANNING & ZONING CASES:

PUBLIC HEARING

1. Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar 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 A, Providence Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6400 S. Cage Blvd., Suites A & B.
2. David and Sonia Quinones requested a change of zone from a Single-Family Residential District (R-1) to an Office Professional District (O-P). The property is legally described as being the South 30.0 feet of Lot 10 and the North 17.5 feet of Lot 11, Gregory Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 307 North Veterans Boulevard.

PLATS:

3. Pharr Economic Development Corp. II, representing Roberto McDonald and Julia H. McDonald requested preliminary and final plat approval of the proposed Austin-Hannah Subdivision. The property is legally described as being a 1.74 acre tract of land out of Lot 2, Pharr Citrus Orchard Co. Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 1300 Block of West Business 83.

Mayor Palacios introduced items 3A through 3C (3)

Comm. Cortez **moved** to approve items 3A through 3C (3) under the consent agenda. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2014-39 is filed with the City Clerk's Office.

REGULAR AGENDA – OPEN SESSION:

ITEM 4 ORDINANCES AND RESOLUTIONS:

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2006-50 (PAVING AND DRAINAGE ASSESSMENT FEE)

Fred Sandoval, City Manager, introduced the item and briefly stated the ordinance had been discussed at the retreat and recommended approval.

Roy Garcia, Public Works Director, gave a power point presentation on Ordinance No. O-2006-50. He stated the ordinance was approved in 2006 to establish assessment fees to be used for paving and drainage improvements. He explained the current fees are \$3.50 for regular residential accounts, \$1.50 for senior citizen accounts and \$5.50 for commercial accounts for an estimated annual amount of \$824,000 in collected revenues. He explained the paving and drainage assessment fees are used only for the repair and maintenance program and went over the street inventory cost analysis. He stated the proposed fees were increased by \$0.75 per account and it would generate close to an estimated one million dollars per year. He added the funds would be used annually on roadways prioritized for preventative maintenance and distributed equally to the north, central and south sides of Pharr for an estimated 17 lane miles of improvements.

Comm. Garza expressed concerns with the rates being increased for senior citizens and asked for different scenarios on the increase in fees for commercial and residential accounts without increasing the senior citizen rates.

Roy Garcia, Public Works Director, briefly stated the ordinance was scheduled to be approved on one reading.

Comm. Maldonado **moved** to approve as presented. Comm. Elizondo seconded the motion.

Discussion ensued concerning the rates and the possibility to exempt senior citizens from being charged the increase. David Garza, Assistant City Manager, explained there were 3,000 senior citizen accounts for an annual dollar amount of \$27,000 which would not affect street improvements budget if senior citizen accounts were waived.

Comm. Maldonado and Comm. Elizondo rescinded their motions.

Comm. Garza **moved** to approve to increase the assessment fee by \$0.75 for residential accounts, \$1.00 for commercial accounts, and to exclude the increase for senior citizens. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2014-40 is filed with the City Clerk's Office.

ITEM 5 ADMINISTRATIVE:

A) PUBLIC HEARING: PROPOSED TAX RATE

Fred Sandoval, City Manager, introduced the item and stated no one had signed up to speak.

B) PRESENTATION OF UPDATED PROPOSED CITY OF PHARR BUDGET FY 2014-2015

Fred Sandoval, City Manager, introduced the item.

Juan Guerra, Chief Financial Officer, stated the proposed budget remained the same as previously presented and no action was needed.

C) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM FOOD BANK OF THE RGV FOR STREET CLOSURE AND ASSISTANCE FOR THEIR CUP K/RUN WALK ON SATURDAY, OCTOBER 11, 2014 FROM 8:00 A.M. TO 10:30 A.M.

Fred Sandoval, City Manager, introduced the item and recommended approval subject to utilizing the city's approved route.

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

D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING POLICE CHIEF TO PURCHASE (1) VIDEO SURVEILLANCE CAMERA SYSTEM FROM SUPERIOR ALARMS IN THE AMOUNT OF \$56,554 THRU 2013 STONEGARDEN GRANT FUNDS

Fred Sandoval, City Manager, introduced the item and recommended approval.

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

E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING POLICE CHIEF TO PURCHASE (1) MOBILE DIGITAL RECORDER SYSTEM FROM COBAN TECHNOLOGIES IN THE AMOUNT OF \$5,845 THRU 2013 STONEGARDEN GRANT FUNDS

Fred Sandoval, City Manager, introduced the item and recommended approval.

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

F) CONSIDERATION AND ACTION, IF ANY, ON REQUEST BY RIO GRANDE VALLEY LITERACY CENTER FOR SPONSORSHIP ON THEIR 3RD ANNUAL BOOTS AND BLING EVENT ON FRIDAY, OCTOBER 24, 2014 FROM 7:00 P.M. TO 12:00 A.M. AT TIERRA DEL SOL GOLF COURSE

Fred Sandoval, City Manager, introduced the item and recommended the use of the facility at the non-profit rate in lieu of the sponsorship.

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

G) CONSIDERATION AND ACTION, IF ANY, ON REQUEST BY PHARR ATHLETIC LEAGUE TO HOST OCTOBERFEST/BEER DASH ON SATURDAY OCTOBER 4, 2014

Fred Sandoval, City Manager, introduced the item and briefly stated Pharr Athletic League would be hosting the event at the floodway property and recommended approval.

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

ITEM 6 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT WITH HIDALGO COUNTY FOR EAST OWASSA ROAD STREET IMPROVEMENTS

Fred Sandoval, City Manager, introduced the item and stated Hidalgo County Precinct 2 would be improving the road up to city limits and the city would improve the area between city limits working west. He further recommended approval.

Mayor Palacios moved to approve. Comm. Cortez seconded the motion and when put to a vote, it carried unanimously.

B) CONSIDERATION AND ACTION, IF ANY, ON AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT WITH SAM GARCIA ARCHITECT FOR CONCEPTUAL PLANS AND FINAL PLANS AND SPECIFICATIONS FOR THE DOWNTOWN LIVING INITIATIVE PROJECT

Fred Sandoval, City Manager, introduced the item and recommended approval to negotiate the contract and commence the project this new fiscal year.

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

C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT WITH ALDANA ENGINEERING & TRAFFIC DESIGN, LLC FOR A TRAFFIC IMPACT ANALYSIS AND RECOMMEND IMPROVEMENTS FOR THE DOWNTOWN LIVING INITIATIVE PROJECT

Fred Sandoval, City Manager, introduced the item and stated the traffic design was for the downtown project and recommended approval.

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

D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT WITH ALDANA ENGINEERING & TRAFFIC DESIGN, LLC FOR A TRAFFIC IMPACT ANALYSIS ON JACKSON AND EXPRESSWAY 83

Fred Sandoval, City Manager, introduced the item and stated there were CBI moneys available for this project but preliminary plans and specifications needed to be submitted to TxDOT. He further recommended approval.

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

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 WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEMS 3 – 6

None.

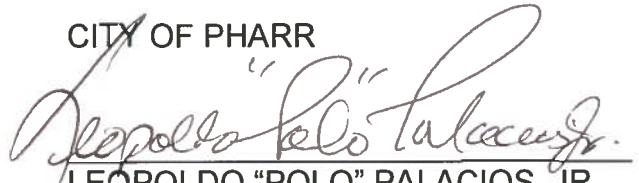
ITEM 8 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN EXECUTIVE SESSION

None.

ITEM 9 ADJOURNMENT:

There being no other business to come before the board, Comm. Elizondo **moved** to adjourn. Comm. Farias seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:23 p.m.

CITY OF PHARR


LEOPOLDO "POLO" PALACIOS, JR.
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 2ND DAY OF SEPTEMBER, 2014 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: September 16, 2014