

**MINUTES  
BOARD OF COMMISSIONERS  
REGULAR-SPECIAL CALLED MEETING  
MONDAY, OCTOBER 14, 2013 AT 12:00 NOON  
118 SOUTH CAGE 2<sup>ND</sup> FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular-Special Called Meeting on Monday, October 14, 2013 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. Eduardo Cantu  
Comm. Aquiles Garza (arrived at 12:20 pm)

**BOARD OF COMMISSIONERS ABSENT:** Comm. Roberto Carrillo

**STAFF PRESENT:** Fred Sandoval, City Manager  
David Garza, Asst. City Mgr./Utilities Dir.  
Sonia H. Padron, Asst. City Clerk  
Javier Rodriguez, C.D. Director  
Juan Guerra, Chief Financial Officer  
Ruben Villescascas, Police Chief  
Jaime Guzman, Fire Chief  
Frank Marin, Parks & Recreation Dir.  
Roy Garcia, Public Works Director  
Edward Wylie, Pharr Dev. Services Dir.  
Adolfo Garcia, Library Director  
Raul Garza, Admin. Services Director  
Gary Rodriguez, External Affairs Mgr.  
Jason Arms, I.T. Director  
Roel Garza, Athletics Director  
Roy S. Garcia, Pharr Events Center  
Fred Brouwen, Asst. Bridge Director  
Tony Sandoval, EDC Manager

**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 12:16 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. Cortez moved to excuse Comm. Carrillo for being absent. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

**B) PLEDGE OF ALLEGIANCE / INVOCATION.**

Ed Arjona led in the pledge of allegiance and said the prayer.

**ITEM 2 PROCLAMATIONS:**

**A) PRESENTATION OF PROCLAMATION PROCLAIMING PHARR  
ORATORY OF ST. PHILIP NERI SCHOOL SYSTEM DAY**

Mayor Palacios read Proclamation proclaiming Pharr Oratory of St. Philip Neri School System Day and presented proclamation to Father Leo Francis Daniels.

**B) PRESENTATION OF PROCLAMATION PROCLAIMING LIGHTS ON AFTERSCHOOL DAY**

Mayor Palacios read Proclamation proclaiming Lights on Afterschool Day and presented proclamation to Alfredo Mata, Jr.

Alfredo Mata, Jr., Boys and Girls Club Executive Director, thanked the Board for the proclamation and their continued support. He further welcomed everyone to attend the Boys and Girls Club open-house on Thursday, October 17, 2013 at 5:30 p.m. to give the parents and community members an opportunity to view the facility.

**C) PRESENTATION OF PROCLAMATION PROCLAIMING THE MONTH OF OCTOBER 2013 AS BREAST CANCER AWARENESS MONTH**

Mayor Palacios read Proclamation proclaiming the month of October 2013 as Breast Cancer Awareness Month and presented proclamation to Alvaro Restrepo, MD, Medical Oncologist/Hematologist.

Dr. Alvaro Restrepo thanked the Board for the opportunity of recognizing the efforts done by Texas Oncology. He further stated a lot can be done by simply changing our mentality of how our lifestyles can change with more exercise, less alcohol, better diets and by getting together to help others.

Mayor Palacios gave his well-wishes to former City Commissioner, Diana Serna, as she was in Houston, Texas due to this disease.

**ITEM 3 CITY MANAGER'S REPORTS:**

- A) City Engineer's Report - Bill Ueckert
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of September 2013 Tax Collection Report
- D) Submission of October 2013 Sales Tax Report
- E) City events of interest
- F) 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. Farias asked if the Produce Park entrance would be constructed of asphalt.

Bill Ueckert, City Engineer, responded that the entire streets would be constructed of concrete.

Comm. Cantu asked if staff could try and see how the swimming pool could be opened to the public for longer periods of time such as opening in March or April and staying open longer based on how the PSJA School District would be using it.

Fred Sandoval, City Manager, stated he was working together with the school district and as soon as they finished their schedules, the city would engage the usage of the pool.

Comm. Cortez called upon Raul Garza for a brief presentation of the Tierra Del Sol Golf Course.

Raul Garza, Administrative Services Director, reported they had a great opening day on Saturday with over 100 rounds being played just in the morning. He added a

special rate was being offered today due to the holiday and to get customers to come back. He further invited everyone to play golf.

Comm. Cortez thanked golf course staff for their hard work on a job well done and asked that the pricing be looked at to attract more customers.

Raul Garza, Administrative Services Director, stated the rates had remained the same from last year but he was looking at pricing levels and specials to honor several groups and help bring in additional play.

Comm. Elizondo voiced his concern with calls received on Fir Street and the St. Anne's Church Jamaica Festival coming up. He further asked for an update.

David Garza, Assistant City Manager, stated Public Works was behind on the road improvements due to the rains. He also stated improvements would not interrupt the Jamaica and would possibly be done towards the end of the year.

Fred Sandoval, City Manager, called upon Sergio Alaniz for a brief presentation on the breast cancer awareness event.

Sergio Alaniz, Parks & Recreation Assistant Director, extended an invitation to all to attend the first Annual Water Warriors Laps for Hope on Saturday, October 26, 2013 from 8:00 a.m. to 12:00 noon at the Pharr Aquatics Center. He stated informational brochures and pamphlets on cancer awareness would be available and staff from Texas Oncology, Walgreens, CVS and Fit Science would be in attendance to answer any questions. Activities for children would be made available such as face painting, games, food and drinks and weather permitting, the water park would be open for the duration of the event. He added registrations were being taken at the Jose "Pepe" Salinas Memorial Civic Center from Monday through Friday or they could also be done on the day of the event. He further added the first 300 participants to register would receive a free t-shirt and all proceeds would be donated to the Texas Oncology Foundation.

Fred Sandoval, City Manager, stated the City would be kicking off the produce season on Friday, October 18, 2013 at 9:00 at the Pharr International Bridge. He stated the City had invited Congressman Ruben Hinojosa as the keynote speaker who was unsure of his attendance due to the government shut-down. He thanked Juan Guerra, CFO, and his staff for putting the event together and hopes this becomes an annual event. He then called upon Jason Arms for a presentation of a new app for smartphones.

Jason Arms, Information Technology Director, stated his department had launched an application this morning of a new mobile website accessible to all Android, Apple and Blackberry devices. He stated the application was accessible to the public for easier access to the city's website, commissioners and department heads and had been created by in-house personnel at no cost to the City. He went over several applications such as the 24-hour pay your water bill, weedy lot complaints, library access, online water and citation payments, the city's events webpage and the emergency alerts page. He added the bridge camera was the second most visited website and would be making improvements to it before adding it to the mobile website.

Fred Sandoval, City Manager, announced the Texas Department of Public Safety would be at City Hall on Friday, October 18, 2013 from 9:00 a.m. to 4:00 p.m. to issue Election Identification Cards at no cost to those eligible to vote. He further stated a press conference with Texas Secretary of State John Steen and State Representative Sergio Munoz, Jr. would be held at 1:00 p.m. and asked Gary Rodriguez and Jason Arms to place the announcement on the city's cable channel and on the Pharr Now internet site.

**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 SEPTEMBER 26, 2013 - SPECIAL CALLED MEETING
- B) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER #5 IN THE AMOUNT OF ADD \$161,230.42 AND INCREASE SIXTY (60) DAYS TO THE CONTRACT FOR THE PHARR AQUATIC CENTER
- C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR COMPETITIVE SEALED PROPOSALS FOR MOWING AND LANDSCAPING SERVICES FOR THE CITY OF PHARR
- D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR PROPOSALS FOR CAPITAL LEASE FINANCING

Fred Sandoval, City Manager, introduced items 4A through 4D.

Comm. Farias moved to approve items 4A through 4D under the consent agenda. Comm. Cortez 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 AMENDING ORDINANCE NO. O-2011-12, SECTION 18 OF THE CODE OF ORDINANCES; ADOPTING PROVISIONS RELATED TO PHARR ANIMAL SHELTER

Fred Sandoval, City Manager, introduced the item and stated this was the third and final reading of the ordinance and recommended approval.

Comm. Garza moved to approve. Comm. Farias seconded the motion and when put to a vote, it carried unanimously. Ordinance No. O-2013-42 is filed with the City Clerk's Office.

- B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING FOUR (4) MEMBERS TO THE PHARR ANIMAL SHELTER ADVISORY COMMITTEE

Fred Sandoval, City Manager, introduced the item and stated the item was part of the new animal shelter ordinance.

Roy Garcia, Public Works Director, stated the advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter and one representative from animal welfare organization. He recommended Kelly Macmanus, DVM, Roy Garcia, CPM, Frank Villarreal and Tim Ousley be appointed to the Pharr Animal Shelter Advisory Committee.

Comm. Cortez moved to appoint the four (4) members as recommended by staff. Comm. Farias seconded the motion and when put to a vote, it carried unanimously. Resolution No. R-2013-64 is filed with the City Clerk's Office.

- C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) MEMBER TO THE PARKS AND RECREATION COMMITTEE

Fred Sandoval, City Manager, introduced the item.

Comm. Elizondo moved to appoint Allen Williams to the Parks and Recreation Committee. Comm. Cortez seconded the motion and when put to a vote, it carried unanimously. Resolution No. R-2013-65 is filed with the City Clerk's Office.

**D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION  
CANCELLING/RE-SCHEDULING THE CITY COMMISSION MEETING  
OF NOVEMBER 19, 2013**

Fred Sandoval, City Manager, introduced the item and stated the official election canvassing period for new elected officials was from November 13 to November 18, 2013. He recommended the City Commission meeting be moved to Monday, November 18, 2013 at 12:00 noon to meet the canvassing period requirement and hold the meeting on the same date.

Comm. Cortez moved to approve as recommended. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously. Resolution No. R-2013-66 is filed with the City Clerk's Office.

**ITEM 6 ADMINISTRATIVE:**

**A) PRESENTATION BY LINEBARGER GOGGAN BLAIR AND SAMPSON,  
LLP ON ANNUAL DELINQUENT PROPERTY TAX COLLECTION  
REPORT FOR FISCAL YEAR END REPORTING PERIOD OF  
OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013**

Fred Sandoval, City Manager, introduced the item

Kelly Salazar, Representative for Linebarger Goggan Blair and Sampson, LLP, went over the Annual Delinquent Property Tax Report. Ms. Salazar reported their office had conducted 1,737 calls, initiated 112 payment agreements, conducted 582 direct property visits and had seen 643 tax payer walk-ins. She stated 10 mailing had been initiated totaling 3,549 letters representing a range of \$561,997.00 to \$1,358,566.00 in delinquent taxes, penalties and interest. She stated 180 lawsuits had been filed totaling \$277,295.00 in base penalty and interest, fifty-four (54) judgments were taken, and as of September 30, 2013, there were a total of 231 pending litigations. She further stated they had conducted four (4) tax sales resulting in the sale of two (2) properties totaling \$10,162.00 and a re-sale was held receiving bids on fourteen (14) properties and collecting a total of \$33,649.59. There were also seventy-three (73) pending bankruptcies. She further reported the total collected delinquent penalties and interest base tax collected was \$1,271,880 while the base tax collection was \$711,399.00. She informed the Board of the new Property Tax Code section 33.02 which came into effect in September 1, 2013 which changes the tax collector's obligation to offer payment agreements to individuals with homestead exemptions.

**B) CONSIDERATION AND ACTION, IF ANY, APPOINTING A VOTING  
DELEGATE AND AN ALTERNATE TO CAST THE CITY'S VOTE AT  
THE NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING  
ON SATURDAY, NOVEMBER 16, 2013**

Fred Sandoval, City Manager, introduced the item and stated last year's voting delegate was Mayor Palacios and the alternate member was Mayor Pro-Tem Farias.

Comm. Garza moved to re-appoint Mayor Palacios as the voting delegate and Mayor Pro-Tem Adan Farias as the alternate. Comm. Cantu seconded the motion and when put to a vote, it carried unanimously.

**C) CONSIDERATION AND ACTION, IF ANY, ON PROPOSAL FROM  
MUNICIPAL CODE CORPORATION (MCCI) FOR EXPANSION OF  
CURRENT LASERFICHE SYSTEM AND RECORDS MANAGEMENT  
SERVICES**

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

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

**D) CONSIDERATION AND ACTION, IF ANY, ON FINAL ACCEPTANCE OF THE GREENS RECONSTRUCTION PROJECT WITH SIGNET GOLF ASSOCIATES AND RELEASE RETAINAGE IN THE AMOUNT OF \$46,435.81**

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

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

**E) CONSIDERATION AND ACTION, IF ANY, REQUEST FROM LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR CONTRIBUTION IN THE AMOUNT OF \$2,066.15 IN SUPPORT OF BUREAU OF RECLAMATION APPLICATION FOR FUNDING AN ALTERNATIVE REGIONAL WATER SUPPLY PROJECT FEASIBILITY STUDY**

Fred Sandoval, City Manager, introduced the item and stated this was the pro-rata share amount for the City of Pharr and recommended approval.

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

At this time, Fred Sandoval, City Manager stated they would deviate from the agenda and go into Closed Session. There was no objection.

**ITEM 8 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 4 – 7**

Mayor Palacios stated the time being 1:12 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, 551.072, 551.074, 551.075, 551.076, 551.084 and 551.086.

**ITEM 9 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN EXECUTIVE SESSION**

Mayor Palacios stated the time being 1:53 pm; the board had completed its closed session and would be resuming the open meeting.

**ITEM 6 F) CONSIDERATION AND ACTION, IF ANY, ON CONCURRENCE WITH TXDOT'S PROPOSED EXIT FROM THE CUSTOMS PORT OF ENTRY FACILITY TO THE BORDER SAFETY INSPECTION FACILITY (BSIF)**

Fred Sandoval, City Manager, introduced the item and recommended approval subject to staff's recommendation for a north/south inspection station and to include a position letter approved by all parties prior to signing.

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

**ITEM 7 CONTRACTS/AGREEMENTS:**

**A) CONSIDERATION AND ACTION, IF ANY, ON PARKING LEASE AGREEMENT WITH PEACE & THORNTON PARTNERSHIP FOR THE PHARR EVENTS CENTER**

Fred Sandoval, City Manager, introduced the item and recommended approval as discussed in closed session.

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

**B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT WITH ALDANA ENGINEERING & TRAFFIC DESIGN, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR 2012 TRANSPORTATION ENHANCEMENT PROGRAM (HIKE & BIKE PROJECT)**

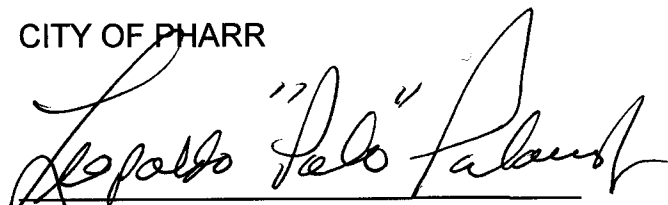
Fred Sandoval, City Manager, introduced the item and stated the City had received a grant from TxDOT for the project and recommended approval to allow commencement of the project as soon as possible.

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

**ITEM 10 ADJOURNMENT:**

There being no other business to come before the board, Comm. Elizondo moved to adjourn. Comm. Cortez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 1:55 p.m.

CITY OF PHARR

  
LEOPOLDO "POLO" PALACIOS, JR.  
MAYOR

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF PHARR

ON THIS THE 14<sup>TH</sup> DAY OF OCTOBER, 2013 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, 2<sup>nd</sup> 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: November 4, 2013