



**TAKE NOTICE THAT A REGULAR MEETING  
OF THE BOARD OF COMMISSIONERS  
OF THE CITY OF PHARR, TEXAS  
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,  
118 S. CAGE BLVD., 2<sup>ND</sup> FLOOR, PHARR, TEXAS  
COMMENCING AT 5:10 P.M. ON  
TUESDAY, OCTOBER 6, 2015**

*The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2015-28. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.*

**1. CALL TO ORDER:**

- A) Roll call and possible action on the excusing of any absent member of the governing body.
- B) Pledge of Allegiance/Invocation.
- C) Public Comments. (Ordinance No. O-2015-28)  
*A registered speaker may speak on several items or topics of public concern; however, a speaker may not exceed three (3) minutes as a whole when addressing the board. A registered speaker may not donate time to another speaker. No more than five (5) registered persons may speak at a scheduled meeting. A sign-in form must be filled out prior to the meeting to allow the registered speaker to address the governing body.*

**2. PROCLAMATIONS:**

- A) Presentation of Proclamation proclaiming Pharr Professional Fire Fighters Local Fill the Boot Day.
- B) Presentation of Proclamation proclaiming Red Ribbon Week.

**3. 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

**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 8, 2015 – Special Called Meeting; September 15, 2015 – Regular Called Meeting; September 23, 2015 – Special Called Meeting; and September 23, 2015 – Joint Workshop Session. (ADMINISTRATION)
- B) Consideration and action, if any, authorizing City Manager to advertise for bids for the Purchase and Delivery of Construction Materials (Type D HMAC-Limestone Aggregate, Type D Cold Mix-Limestone Aggregate, Type F Grade 3 Caliche, Concrete Mix, Reinforced Concrete Pipe, Pavement Markings) for Public Works annual use FY2015-2016. (PUBLIC WORKS)
- C) Consideration and action, if any, authorizing City Manager to advertise for bids for the 1<sup>st</sup> Year – Phase “A” Street Paving Program. (ENGINEERING)
- D) Consideration and action, if any, authorizing City Manager to advertise for bids for the construction of pedestrian bridge at Jones Box Park. (ENGINEERING)
- E) Consideration and action, if any, authorizing City Manager to advertise for proposals for engineering services for the electrical system at the Pharr Aquatic Center in conjunction with PSJA ISD. (ENGINEERING)
- F) Consideration and action on Planning & Zoning Cases:

**Public Hearing:**

- 1. El Bucanero, L.L.C., has filed with the Planning and Zoning Commission a request for 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 a 1.765 acre tract of land, more or less, out of Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at 1209 East Nolana Loop. CUP#150953

AGENDA REGULAR MEETING  
OCTOBER 6, 2015

2. La Fonda has filed with the Planning and Zoning Commission a request for 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 a .07 acre tract of land, more or less, out of Lot 1, Jackson Ridge Court Subdivision Phase II, Pharr, Hidalgo County, Texas. The property is located at 1201 South Jackson Road, Suite 7. CUP#150954
3. Steve Spoor, P.E., representing Zuko Family Limited Partnership, has filed with the Planning and Zoning Commission a request for a change of zone from an Agricultural and/or Open Space District (A-O) to a Limited Industrial District (L-I). The property is legally described as the East 20 acres of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 201 East Anaya Road. COZ#150956

**PLATS:**

4. Sam Engineering & Surveying, Inc., representing Matthew Camp, AIV, is requesting preliminary plat approval of the proposed Master Plan of RK Commercial Subdivision. The property is legally described as being a 10.90 acre tract of land being 9.64 acres out of Lot 17, and 1.26 acres out of Lots 18, Block 161, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1200 and 1600 Block of Interstate 2 E (US HWY 83). SUB#150715

**REGULAR AGENDA – OPEN SESSION:**

**5. ORDINANCES AND RESOLUTIONS:**

- A) Consideration and action, if any, on Ordinance designating the City of Pharr – TIF Reinvestment Zone #2. (TABLED)
- B) Consideration and action, if any, on Ordinance amending Article IX, Firefighters and Police Officers Civil Service Ordinance authorizing an increase in the classification of Police Officers from 104 to 110. (POLICE)
- C) Consideration and action, if any, on Ordinance establishing policies and procedures for the use and/or disposition of city property. (DEVELOPMENT SERVICES)
- D) Consideration and action, if any, on Resolution appointing/reappointing one (1) member to the Parks & Recreation Committee. (PARKS & REC)
- E) Consideration and action, if any, on Resolution for nomination of (1) one person to the Board of Directors of the Hidalgo County Appraisal District. (ADMINISTRATION)

**6. ADMINISTRATIVE:**

- A) Consideration and action, if any, authorizing the Pharr Police Department to participate in the Secure Ballistic Disposal and Recycling Program with Fiber Brokers International, LLC. (POLICE)
- B) Consideration and action, if any, appointing voting delegate and an alternate to cast the City's vote at the National League of Cities Annual Business Meeting on Saturday, November 7, 2015. (ADMINISTRATION)
- C) Consideration and action, if any, authorizing Rainbow RGV Community Partners to utilize Jose "Pepe" Salinas Civic Center's large hall on Saturday, December 19, 2015. (PARKS & REC.)
- D) Submission of approved City of Pharr Budget FY2015-2016. (FINANCE)

**7. PURCHASING:**

- A) Consideration and action, if any, on Change Order #2 in the amount of add \$120,682.50 and additional 40 calendar days for the Capote and Las Milpas Parks Street Improvements project. (ENGINEERING)
- B) Consideration and action, if any, awarding bid for sludge management services for the Water Treatment Plant and Wastewater Treatment Plant. (UTILITIES)

**8. CONTRACTS/AGREEMENTS:**

- A) Consideration and action, if any, authorizing Human Resources and Finance Departments to negotiate contract with the HayGroup for Other Post-Employment Benefits (OPEB) liability analysis.
- B) Consideration and action, if any, on professional services agreement with Cathy B. Jones, CPA, CIA, CFE, CRMA for internal audit services. (FINANCE)
- C) Consideration and action, if any, on Letter of Interest with Schneider Electric Buildings Americas, Inc. for energy and sustainability services.
- D) Consideration and action, if any, awarding proposal for restaurant operation services at the Boggus Ford Events Center. (EVENTS CENTER)
- E) Consideration and action, if any, on reimbursement contract between City of Pharr and Pharr Economic Development corporation for the Pharr Produce District Subdivision Phase 1. (PEDC)

F) Consideration and action, if any, on occupancy agreement with Pharr International Services LLC. (LEGAL)

**9. LEGAL:**

A) Consideration and action, if any, on compromise, release and indemnity agreement with Pharr International Services. (LEGAL)

**10. 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 - 9 in accordance with the following below:*

Pursuant to Section 551.071, the City may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the City may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the City may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the City may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the City may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.087, the City may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

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

**12. ADJOURNMENT.**

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETING**

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956/402-4100 ext 1003/1007 or FAX 956/702-5313 or E-mail [hilda.pedraza@pharr-tx.gov](mailto:hilda.pedraza@pharr-tx.gov) or [imelda.barrera@pharr-tx.gov](mailto:imelda.barrera@pharr-tx.gov) for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the City Commission of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at [www.pharr-tx.gov](http://www.pharr-tx.gov). This Notice was posted on the 2<sup>nd</sup> day of October, 2015, at 5:45 P.M. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).



**WITNESS MY HAND AND SEAL, this 2<sup>nd</sup> DAY OF OCTOBER 2015.**

*Imelda Barrera*  
\_\_\_\_\_  
HILDA PEDRAZA, TRMC  
for CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was removed from the bulletin board of City Hall on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 by,

\_\_\_\_\_

Title: \_\_\_\_\_

*WHEREAS*, the Pharr Professional Fire Fighters exemplifies the most time-honored American ideals of public service and sacrifice, protecting the citizens of our community from tragedy on the home front; and

*WHEREAS*, the Pharr Professional Fire Fighters Local members are highly trained and dedicated individuals who demonstrate daily an extraordinary caliber of character and courage in the face of danger; and

*WHEREAS*, the Pharr Professional Fire Fighters members selflessly donate their time and energy to supporting the battle against muscular dystrophy by Filling the Boot each year for the Muscular Dystrophy Association; and

*WHEREAS*, last year, the Pharr Professional Fire Fighters raised more than \$9,000 for MDA through the annual Fill the Boot campaign; and

*WHEREAS*, the Pharr Professional Fire Fighters endless service to MDA has given so much hope for families fighting neuromuscular diseases.

*NOW THEREFORE*, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas by virtue of the authority vested in me and on behalf of the Mayor and the City Commission, do hereby proclaim October 6, 2015, as:

*“Pharr Professional Fire Fighters Local Fill the Boot Day”*

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 6<sup>th</sup> day of October, 2015.

CITY OF PHARR

\_\_\_\_\_  
Ambrosio Hernandez, Mayor

ATTEST:

\_\_\_\_\_  
Hilda Pedraza, City Clerk

*WHEREAS*, cities across America have been plagued by the numerous problems associated with alcohol, tobacco, and other drug use; and

*WHEREAS*, there is hope in winning the War on Drugs, and the hope lies in the hard work and determination of our communities to create a drug free environment; and

*WHEREAS*, local leaders, in government and in the community, know that the support of the people in the neighborhoods is the most effective tool they can have in their efforts to reduce use of alcohol, tobacco, and other drugs by Texans; and

*WHEREAS*, success will not occur overnight, our patience and continued commitment to drug education and prevention are imperative; and

*WHEREAS*, the red ribbon was chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent, who was murdered in the line of duty and has come to represent the belief that one person CAN make a difference; and

*WHEREAS*, the Red Ribbon Campaign was established by Congress in 1988 to promote this belief and encourage a drug-free lifestyle and involvement in drug prevention efforts; and;

*WHEREAS*, October 23-31, 2015, has been designated National Red Ribbon Week calling on all Americans to show their support for a drug-free state by wearing a red ribbon and participating in drug-free activities during that week:

*WHEREAS*, the Red Ribbon Initiative will be observed year round presenting a unified and visible commitment of our intolerance towards the use of drugs and calling all citizens of Pharr-San Juan-Alamo to participate in year round drug-free activities.

*NOW THEREFORE*, I, **AMBROSIO HERNANDEZ, MAYOR OF THE CITY OF PHARR, SAN JUANITA SANCHEZ, MAYOR OF THE CITY OF SAN JUAN, DIANA MARTINEZ, MAYOR OF THE CITY OF ALAMO, TEXAS, PSJA ISD, RIO GRANDE VALLEY COUNCIL, INC.:** by the virtue of the authority vested in us and on behalf of the City Commissions' of Pharr, San Juan, and Alamo, the PSJA ISD, Behavioral Health Solutions of South Texas do hereby proclaim the 23-31st day of October 2015 as:

## *"Red Ribbon Week"*

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 6<sup>th</sup> day of October, 2015.

ATTEST:

CITY OF PHARR

\_\_\_\_\_  
Hilda Pedraza, City Clerk

\_\_\_\_\_  
Ambrosio Hernandez, Mayor

ATTEST:

CITY OF SAN JUAN

\_\_\_\_\_  
Sandra Guajardo, Interim City Secretary

\_\_\_\_\_  
San Juanita Sanchez, Mayor

ATTEST:

CITY OF ALAMO

\_\_\_\_\_  
Margot Saenz, City Secretary

\_\_\_\_\_  
Diana Martinez, Mayor

ATTEST:

PSJA ISD

\_\_\_\_\_  
Humberto "Bobby" Rodriguez  
School Board President

\_\_\_\_\_  
Daniel P. King, PhD  
Superintendent of Schools

**City Engineer's Report  
October 6 15, 2015**

**Design Projects:**

**Cage Boulevard Traffic Signal Improvements – Polk Ave to Ridge Road**

Aldaña Engineering & Traffic Design has completed plans and specifications. Will begin to advertise..

**City of Pharr Bicycle Accessible Improvements**

The environmental consultant is currently working on the environmental document for the project.

**Jones Box Park – Pedestrian Bridge**

Application approved by HCDD#1 on October 5, 2015. Requesting to advertise for bids to construct bridge.

**Navarro Street Roadway & Drainage Improvements**

Plans have been reviewed and engineer making revisions. Anticipate to advertise by the end of this month.

**Hi-Line Road**

Plans have been submitted by Engineer for review. Meeting with Public Works, Public Utility and AT&T about concerns of construction this week.

**Owassa Road**

Final stage of the Environmental document is underway. Resolution letter regarding the change to the posted speed limit was submitted to TxDOT. Hopefully, the city will be issued the FONSI in order to begin acquiring Right of Way. Engineer has submitted 30% construction plans and is currently under review by TxDOT.

**Wastewater Treatment Plant – Secondary Clarifier No. 2 Replacement**

Project is currently under design.

**Construction Projects:**

**Capote Industrial Park & Pharr/Las Milpas Industrial Park Street Improvements**

Asphalt pavement is complete on Matador Drive. West Austin Street contractor is repairing existing concrete curb and gutter.

Contract Amount:	\$1,669,716.80
Current Expenditures:	\$1,112,354.68
Percent Completed:	66%

**Northside Park – Special Needs**

Yates Construction has begun completing the punch list.

**Traffic Signal at Sugar & Sioux Road**

The light will be on flashing mode for another 15 days with operation to begin mid October.

Contract Amount:	\$83,126.55
Current Expenditures:	\$58,985.65
Percent Completed:	58.39%

## **Wastewater Treatment Plant – Secondary Clarifier No. 1 Replacement**

Contracts have been signed with Associated Construction Partners, Ltd and a pre-construction meeting was held on March 27, 2015.

Contract Amount:	\$370,000.00
Current Expenditures:	\$ 43,700.00
Percent Completed:	12%



**Northside Park – Special Needs**



**Sugar & Sioux Road Traffic Signal**



**Las Milpas/Pharr Industrial Park Street Improvements –Austin Drive**



**Capote Industrial Park Street Improvements –Capote Street & Toro Avenue**



**Wastewater Treatment Plant – Secondary Clarifier No. 1 Replacement**

**MINUTES  
BOARD OF COMMISSIONERS  
SPECIAL CALLED MEETING  
TUESDAY, SEPTEMBER 8, 2015 AT 5:00 P.M.  
118 SOUTH CAGE 2<sup>ND</sup> FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Special Called Meeting on Tuesday, September 8, 2015 and following is the record of attendance.

**BOARD OF COMMISSIONERS PRESENT:** Mayor Pro-Tem Oscar Elizondo  
Comm. Eleazar Guajardo  
Comm. Roberto Carrillo  
Comm. Edmund Maldonado, Jr.  
Comm. Ricardo Medina

**BOARD OF COMMISSIONERS ABSENT:** Mayor Ambrosio Hernandez  
Comm. Mario Bracamontes

**STAFF PRESENT:** Juan G. Guerra, City Manager  
Edward Wylie, Assistant City Manager  
Hilda Pedraza, City Clerk  
Imelda Barrera, Asst. City Clerk  
Raul Garza, CDBG Director  
Karla Moya, Finance Director  
Ruben Villescas, Police Chief  
Jaime Guzman, Fire Chief  
Roy Garcia, Public Works Director  
David Garza, Public Utilities Director  
Luis Bazan, Director of Operations  
Melanie Cano, Development Services Dir.  
Adolfo Garcia, Library Director  
Gary Rodriguez, Community Affairs Liaison  
Lauro Torres, Assistant IT Director  
Roy S. Garcia, Boggus Ford Events Center  
Anali Cantu, Human Resources Director

**CITY ATTORNEY** Patricia Rigney, City Attorney

**1. ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER OF THE GOVERNING BODY**

Comm. Elizondo called the meeting to order at 5:02 p.m. Roll Call established a quorum.

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

**2. PUBLIC HEARING: PROPOSED TAX RATE**

Juan Guerra, City Manager, opened public hearing. There being no one signed-up for public hearing, Mr. Guerra closed the public hearing.

**3. PUBLIC HEARING: BUDGET FISCAL YEAR 2015-2016**

Juan Guerra, City Manager, opened public hearing.

Kenneth Fletcher addressed the board and thanked everyone for our present budget. He suggested more cross-training with Police Department and Code Compliance and also assist the Public Utilities Department with pot holes and water leaks. He briefly mentioned Costco violations for water ordinance and backflow prevention ordinance.

There being no one else signed-up for public hearing, Mr. Guerra closed the public hearing.

**4. 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 1-3**

None

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

None

**6. ADJOURNMENT:**

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:05 p.m.

CITY OF PHARR

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AMBROSIO HERNANDEZ  
MAYOR

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF PHARR**

**ON THIS THE 8<sup>th</sup> DAY OF SEPTEMBER, 2015** the Board of Commissioners of the City of Pharr, Texas convened in a **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:

**MINUTES  
BOARD OF COMMISSIONERS  
REGULAR CALLED MEETING  
TUESDAY, SEPTEMBER 15, 2015 AT 5:00 P.M.  
118 SOUTH CAGE 2<sup>ND</sup> FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Tuesday, September 15, 2015 and following is the record of attendance.

**BOARD OF COMMISSIONERS PRESENT:** Mayor Ambrosio Hernandez  
Comm. Eleazar Guajardo  
Comm. Roberto Carrillo  
Comm. Edmund Maldonado, Jr.  
Comm. Ricardo Medina  
Comm. Mario Bracamontes

**BOARD OF COMMISSIONERS ABSENT:** Mayor Pro-Tem Oscar Elizondo

**STAFF PRESENT:**

Juan G. Guerra, City Manager  
Hilda Pedraza, City Clerk  
Imelda Barrera, Asst. City Clerk  
Raul Garza, CDBG Director  
Karla Moya, Finance Director  
Javier Gonzalez, Asst. Police Chief  
Jaime Guzman, Fire Chief  
Frank Marin, Parks & Recreation Dir.  
Roy Garcia, Public Works Director  
David Garza, Public Utilities Director  
Luis Bazan, Director of Operations  
Melanie Cano, Development Services Dir.  
Adolfo Garcia, Library Director  
Gary Rodriguez, Community Affairs Liaison  
Jason Arms, IT Director  
Roel Garza, Athletics Director  
Roy S. Garcia, Boggus Ford Events Center  
Rodolfo Martinez, Municipal Judge  
Anali Cantu, Human Resources Director  
William Ueckert, City Engineer

**CITY ATTORNEY**

Patricia Rigney, City Attorney

**ITEM 1 CALL TO ORDER:**

Mayor Hernandez called the meeting to order at 5:00 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. Maldonado moved to excuse Comm. Elizondo. Comm. Medina 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)**

Kenneth Fletcher addressed the board and spoke about Costco. He stated Costco has numerous violations both inside and outside. He also mentioned Costco had filed a report with the Police Department for Criminal Trespassing against him and showed a picture about illegal signs on Costco curbsides.

Joey Huerta addressed the board and spoke about traffic on Cage Boulevard. He stated there were a lot of commercial vehicles driving along 281/Cage Blvd. and many issues with traffic jams and requested that "No thru Trucks" signs be placed. Lastly, he voiced his concern with alleys not being cleaned.

**ITEM 2 PROCLAMATIONS:**

**A) PRESENTATION OF PROCLAMATION PROCLAIMING NATIONAL SUICIDE PREVENTION AWARENESS**

Mayor Hernandez read Proclamation proclaiming September 25, 2015 as National Day of Remembrance for Murder Victims and presented proclamation to Robert Garcia. Mr. Garcia thanked the Commission for the recognition and spoke about the survivor victims support group services.

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

- A) City Engineer's Report
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of August 2015 Tax Collection Report
- D) Submission of September 2015 Sales Tax 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.

There being no questions, Juan Guerra, City Manager, introduced the monthly report for Municipal Court and stated Municipal Court Judge was available for any questions.

Juan Guerra, City Manager, introduced submission of August 2015 Tax Collection Report stating the City was currently up 2% on the delinquent taxes and overall it had healthy collections.

Juan Guerra, City Manager, introduced the submission of September 2015 Sales Tax Report and stated the City of Pharr grew a very healthy 14% in sales tax and was number one in the region for the month and year-to-date. He further stated the City was at roughly at 10% growth.

Juan Guerra, City Manager, recognized the IT Department for being "IT Professional Day" today and went over several events taking place at the Pharr Memorial Library. He further stated the Finance Department recently received its bond rating from the Standard & Poor's Rating Service and was upgraded from an A to A+, he stated that this was very positive news. Mr. Guerra also went over upcoming events at the Boggus Ford Events Center. He further stated Public Works would be having Operation Clean Sweep on September 26, 2015 and for anyone wishing to volunteer to please call Public Works Department. Lastly, he mentioned upcoming events for the PAL Department and Police Department.

**ITEM 4 PUBLIC HEARINGS:**

**A) SOLICITATION OF COMMENTS ON THE CREATION OF THE CITY OF PHARR TIRZ #2 PROJECT AS A TAX INCREMENT REINVESTMENT ZONE (PEDC)**

Juan Guerra, City Manager, introduced item and opened the public hearing. There being no one registered to speak, the public hearing was closed.

**B) PROPOSED TAX RATE (FINANCE)**

Juan Guerra, City Manager, introduced item and opened the public hearing. There being no one registered to speak, the public hearing was closed.

**C) BUDGET FISCAL YEAR 2015-2016 (FINANCE)**

Juan Guerra, City Manager, introduced item and opened the public hearing. There being no one registered to speak, public hearing was closed.

**ITEM 5 **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 25, 2015, REGULAR-SPECIAL MEETING AND SEPTEMBER 1, 2015 REGULAR MEETING (ADMINISTRATION)**

- B) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2012-44 ADDING CHAPTER 11 UNDER CITY OF PHARR PERSONNEL POLICY MANUAL RELATING TO RESTRICTIONS ON NON-PROFESSIONAL EMPLOYEE RELATIONSHIPS (NON-FRATERNIZATION POLICY) (ADMINISTRATION)**
- C) **CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2015-38, SECTION 3, TO ADD WITTEN PARK (PAL)**
- D) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST OF QUALIFICATIONS FOR NON-INVASIVE EMPLOYEE HEALTH SCREENINGS PROGRAM (FINANCE/HR)**
- E) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS FOR CONSULTING SERVICES FOR HEALTH INSURANCE ANALYSIS (FINANCE/HR)**
- F) **CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST OF QUALIFICATIONS FOR CAFETERIA PLAN ADMINISTRATOR SERVICES (HR)**
- G) **CONSIDERATION AND ACTION ON PLANNING & ZONING CASES:**

**Public Hearing**

1. Hector G. Menchaca, d/b/a El Huachinango Pescados y Mariscos, 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 E100' of Lot 5 and 6, Block 66, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 400 South Cage Boulevard. CUP#110756
2. 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. CUP#110757
3. Juanita Garza d/b/a Pharr West Club, LLC, 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 3, Replat of Lot 1, Mexican Fiesta Subdivision, and Lot 1, Mexican Fiesta Unit #2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1302 West Nolana. CUP#100728

4. Arnolde Garza Jr., d/b/a El Rodeo Bar & 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 Lots 14 and 15, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5826 South Cage Boulevard. CUP#140849
5. Red Robin 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 2, Paradise Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 409 South Jackson Road. CUP#030747
6. El Compadre, d/b/a Los Compadres Mexican Restaurant, filed with the Planning and Zoning Commission a request for 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 Lot 1, Sam Houston Heights Subdivision, Pharr, Hidalgo County, Texas. The property is located at 1201 West Sam Houston Avenue. CUP#150851
7. Vincent Gerard & Associates, representing Verizon Wireless, filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunication tower in a Limited Industrial District (L-I). The property is legally described as a 0.06 acre tract of land, more or less, out of Lot 2, Steel Horse Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property is located at 806 East Owassa Road. CUP#150852
8. Nain Engineering, LLC, representing Roberto Leija, filed with the Planning and Zoning Commission a request a change of zone from a Single Family Residential District (R-1) to a General Business District (C). The property is legally described as a 0.75 acre tract of land being the West 124.50 feet of the South 264.00 feet of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at 322 West Dicker Road. COZ#150850

**PLATS:**

9. Melden & Hunt Inc., representing Rolando Morales, requested final plat approval of the proposed Los Girasoles Subdivision. The property is legally described as being a 1.729 acre tract of land, out of Lot 111, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 800 Block of East Nolana Loop. SUB#140611
10. Melden & Hunt Inc., representing Herbert L. Levine, Manager, requested preliminary and final plat approval of the proposed Re-plat of Vacated Car-Mel Subdivision, Vacated El Centro Mall No. 3 and 4 Subdivision. The property is legally described as being a re-subdivision of 49.685 acres 17.291 acres out of Lots 3, Re-plat Map of El Centro Mall No. 3 Subdivision and all of Car-Mel Subdivision, and Lot 4 Re-plat Map of El Centro Mall No. 4, Pharr, Hidalgo County, Texas. The property is located within the 500 Block of North Jackson Road. SUB#150818

Juan Guerra, City Manager, opened the public hearing.

Kenneth Fletcher addressed the board and spoke on Item 5G-8. He stated he has been attending Planning & Zoning meetings and noted some deficiencies regarding the final report. He thanked the commission for making City Attorney available and her

being available as well. Mr. Fletcher expressed some concerns regarding the notice of meetings and stated that he would await the final report. He also made some comments on the definition of plat versus re-plat.

There being no further public comments, the public hearing was closed. Juan Guerra, City Manager, recommended approval on items 5A thru 5G (10) under the consent agenda.

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

Ordinance No. O-2015-45 is filed with the City Clerk's Office.

**REGULAR AGENDA – OPEN SESSION:**

**ITEM 6 ORDINANCES AND RESOLUTIONS:**

**A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE DESIGNATING THE CITY OF PHARR – TIF REINVESTMENT ZONE #2 (TABLED) (ADMINISTRATION)**

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

**B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION FOR NOMINATION OF (1) ONE PERSON TO THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY APPRAISAL DISTRICT (ADMINISTRATION)**

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

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

Resolution No. R-2015-78 is filed with the City Clerk's Office.

**C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF U.S. 281 (CAGE BLVD.) FROM POLK STREET TO SAM HOUSTON BLVD. FOR THE RED RIBBON "SAY NO TO DRUGS" PARADE ON SATURDAY, OCTOBER 24, 2015 FROM 7:00 AM TO 12:00 PM. (POLICE)**

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

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

Resolution No. R-2015-79 is filed with the City Clerk's Office.

**D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF U.S. 281 (CAGE BLVD.) FROM POLK AVENUE TO SAM HOUSTON BLVD. FOR THE VETERAN'S DAY PARADE ON SATURDAY, NOVEMBER 7, 2015 (PUBLIC WORKS)**

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-2015-80 is filed with the City Clerk's Office.

**E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING (2) TWO REGULAR MEMBERS AND (4) FOUR ALTERNATE MEMBERS TO THE PLANNING AND ZONING COMMISSION (DEVELOPMENT SERVICES)**

Juan Guerra, City Manager, introduced the item.

Comm. Carrillo **moved** to appoint Danny Wylie and Kenneth Fletcher as regular members and Porfirio Rodriguez, Paco Aleman, Prisciliano Trevino and Noe Pruneda as alternate members to the Planning and Zoning Commission. Comm. Maldonado seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-81 is filed with the City Clerk's Office.

**F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) MEMBER TO THE CIVIL SERVICE COMMISSION (ADMINISTRATION)**

Juan Guerra, City Manager, introduced the item and briefly explained the City Manager nominates and the board of commissioners certifies the nomination. Therefore, he recommended Mario Lizcano as member to the Civil Service Commission.

Comm. Carrillo **moved** to appoint Mario Lizcano as member to the Civil Service Commission. Comm. Maldonado seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-82 is filed with the City Clerk's Office.

**G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION DONATING SURPLUS EQUIPMENT TO THE PHARR VOLUNTEER FIRE DEPARTMENT (ADMINISTRATION)**

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-2015-83 is filed with the City Clerk's Office.

**ITEM 7 ADMINISTRATIVE:**

**A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO APPOINT A LOCAL RABIES CONTROL AUTHORITY (LRCA) WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (PUBLIC WORKS)**

Juan Guerra, City Manager, introduced the item and recommended Francisco Villarreal as Local Rabies Control Authority.

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

**B) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FOR INSTALLATION SERVICES AND PROGRAMING OF (4) FOUR CAMERAS AT THE PHARR INTERNATIONAL BRIDGE (BRIDGE)**

Juan Guerra, City Manager, introduced the item and briefly stated this item was approved by the Bridge Board recommended approval.

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

**ITEM 8 PURCHASING:**

**A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE PURCHASE OF A SKYWATCH TOWER THRU BUYBOARD UTILIZING STONEGARDEN GRANT FUNDS. (POLICE)**

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.

**ITEM 9 CONTRACTS/AGREEMENTS:**

**A) CONSIDERATION AND ACTION, IF ANY, ON PROFESSIONAL SERVICES WITH EZEQUIEL ORDONEZ FOR IMPROVEMENTS AT THE MEXICAN ADUANA AT THE PHARR INTERNATIONAL BRIDGE (BRIDGE)**

Juan Guerra, City Manager, introduced the item and stated this item has been approved by the Bridge Board and recommended approval subject to legal review.

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

**B) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH EZEQUIEL ORDONEZ DBA RIO REGIONAL INFRASTRUCTURE SERVICES LLC FOR CONSULTING AND LOBBYING SERVICES (BRIDGE)**

Juan Guerra, City Manager, introduced the item and stated this item has been approved by the Bridge Board recommended approval subject to legal review.

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

**C) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH HOLLIS RUTLEDGE & ASSOCIATES FOR CONSULTING SERVICES (ADMINISTRATION)**

Juan Guerra, City Manager, introduced the item and recommended approval subject to legal review.

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

**E) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH INTERNATIONAL BILLBOARDS FOR BILLBOARD RENTALS (BRIDGE)**

Juan Guerra, City Manager, introduced the item and stated this item has been approved by the Bridge Board and recommended approval subject to legal review.

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

At this time, Juan Guerra, City Manager, stated they would deviate to closed session to discuss item 9D. There was no objection.

**ITEM 10 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 - 9**

Mayor Hernandez stated the time being 5:30 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 thru 551.087.

**ITEM 10 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN CLOSED SESSION**

Mayor Hernandez stated the time being 5:49 pm; the board had completed its closed session and would be resuming the open meeting.

**ITEM 9 D) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT WITH ROBERTO LEAL FOR LOBBYING SERVICES AT PHARR INTERNATIONAL BRIDG. (COMM. GUAJARDO)**

Juan Guerra, City Manager, introduced the item and recommended not to renew the contract and allow a 30-day extension at the current rate as discussed in closed session.

Comm. Guajardo moved to terminate the contract and allow a 30-day extension as recommended by staff. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

**ITEM 11 ADJOURNMENT**

There being no other business to come before the board, Comm. Carrillo moved to adjourn. Comm. Maldonado seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:50 p.m.

CITY OF PHARR

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AMBROSIO HERNANDEZ  
MAYOR

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF PHARR**

**ON THIS THE 15<sup>th</sup> DAY OF SEPTEMBER, 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, 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:

**MINUTES  
BOARD OF COMMISSIONERS  
SPECIAL CALLED MEETING  
WEDNESDAY, SEPTEMBER 23, 2015 AT 5:00 P.M.  
118 SOUTH CAGE 2<sup>ND</sup> FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Special Called Meeting on Wednesday, September 23, 2015 and following is the record of attendance.

**BOARD OF COMMISSIONERS PRESENT:** Mayor Ambrosio Hernandez  
Mayor Pro-Tem Oscar Elizondo  
Comm. Roberto Carrillo  
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, Assistant City Manager  
Hilda Pedraza, City Clerk  
Raul Garza, CDBG Director  
Karla Moya, Finance Director  
Ruben Villescas, Police Chief  
Roy Garcia, Public Works Director  
David Garza, Public Utilities Director  
Melanie Cano, Development Services Dir.  
Adolfo Garcia, Library Director  
Gary Rodriguez, Community Affairs Liaison  
Jason Arms, IT Director  
Roy S. Garcia, Boggus Ford Events Center  
Anali Cantu, Human Resources Director

**CITY ATTORNEY** Patricia Rigney, City Attorney

**1. ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER OF THE GOVERNING BODY**

Mayor Hernandez called the meeting to order at 5:02 p.m. Roll Call established a quorum. Comm. Elizondo was not present at the time of roll call but arrived at 5:06 pm.

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

**2. CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 (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.

Ordinance No. O-2015-46 is filed with the City Clerk's Office.

**3. CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ADOPTING TAX RATE FOR FY 2015-2016 (FINANCE)**

Juan Guerra, City Manager, introduced the item and briefly stated this was the biggest tax rate reduction since 1991.

Commissioner Carrillo **moved** that the property tax rate be increased by the adoption of a tax rate of \$.6540, which is effectively a 1% percent increase in the tax rate. Commissioner Maldonado seconded the motion. The vote on the motion was as follows:

AYES: Commissioners Carrillo, Maldonado, Bracamontes and Mayor Hernandez.

NAYS: None

ABSENT: Mayor Pro-Tem Elizondo, Commissioners Medina and Guajardo

ABSTAINED: None

Ordinance No. O-2015-47 is filed with the City Clerk's Office.

**4. CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING STAFF TO SUBMIT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR LOCAL PARK GRANT PROGRAM-PHARR NATURE PARK (PARKS & RECREATION)**

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-2015-84 is filed with the City Clerk's Office.

**5. CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF U.S. 281 (CAGE BLVD.) FROM RIDGE ROAD TO KELLY AVENUE FOR THE COLOR ME LOCO 5K RUN ON SATURDAY, OCTOBER 31, 2015 FROM 7:00 AM TO 11:30 AM. (PAL)**

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

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

Resolution No. R-2015-85 is filed with the City Clerk's Office.

**6. CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF U.S. 281 (CAGE BLVD.) FROM RIDGE ROAD TO KELLY AVENUE FOR THE 8<sup>TH</sup> ANNUAL CANCER WALK ON SATURDAY, OCTOBER 31, 2015 (PAL)**

Juan Guerra, City Manager, introduced the item and recommended approval and briefly stated walk with start after PAL's Color Me Loco Run/Walk.

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

Resolution No. R-2015-86 is filed with the City Clerk's Office.

Comm. Elizondo arrived at this time being 5:06 p.m.

**7. CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE PURCHASE OF REMOTE BROADCAST HARDWARE (IT)**

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

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

**8. CONSIDERATION AND ACTION, IF ANY, REJECTING BIDS FOR HEALTH INSURANCE SERVICES FOR FY 2015-2016 AND AUTHORIZE CITY MANAGER TO RE-ADVERTISE FOR BIDS (HR)**

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.

**9. CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN THE PHARR FIRE DEPARTMENT AND GASES 101 FOR THE MAINTENANCE OF HAZMAT EQUIPMENT (FIRE)**

Juan Guerra, City Manager, introduced the item and recommended approval subject to legal review.

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

10. **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 2-9

None

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

None

12. **ADJOURNMENT**

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Mayor Hernandez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:08 p.m.

CITY OF PHARR

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AMBROSIO HERNANDEZ  
MAYOR

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF PHARR

**ON THIS THE 23<sup>rd</sup> DAY OF SEPTEMBER, 2015** the Board of Commissioners of the City of Pharr, Texas convened in a **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:

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HILDA PEDRAZA, CITY CLERK  
APPROVED:

**MINUTES**  
**PHARR BOARD OF COMMISSIONERS AND**  
**PHARR ECONOMIC DEVELOPMENT CORPORATION II BOARD OF DIRECTORS**  
**JOINT WORKSHOP SESSION**  
**WEDNESDAY, SEPTEMBER 23, 2015 AT 5:10 P.M.**  
**118 SOUTH CAGE 2<sup>ND</sup> FLOOR**

The Board of Commissioners of the City of Pharr, Texas, and the Pharr Economic Development Corporation II met in a Joint Workshop Session on Wednesday, September 23, 2015 and following is the record of attendance.

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

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

**PEDC II BOARD OF DIRECTORS PRESENT:** President Mayor Ambrosio Hernandez  
Board Member Comm. Oscar Elizondo  
Board Member Comm. Edmund Maldonado  
Board Member Danny Smith

**PEDC II BOARD OF DIRECTORS ABSENT:** Board Member Comm. Ricardo Medina  
Board Member Victor Carrillo  
Board Member Ramiro Caballero

**STAFF PRESENT:** Juan G. Guerra, City Manager  
Edward Wylie, Assistant City Manager  
Hilda Pedraza, City Clerk  
Raul Garza, CDBG Director  
Karla Moya, Finance Director  
Jaime Guzman, Fire Chief  
Roy Garcia, Public Works Director  
David Garza, Public Utilities Director  
Melanie Cano, Development Services Dir.  
Frank Marin, Parks & Rec. Dir.  
Gary Rodriguez, Community Affairs Liaison  
Jason Arms, IT Director  
Fred Brouwen, Dir. of Operations  
Roy S. Garcia, Boggus Ford Events Center  
Anali Cantu, Human Resources Director  
Sergio Contreras, Interim PEDC Dir.  
Tony Sandoval, Assistant PEDC Dir.  
Karina Lopez, Administrative Assistant  
Mercedes Guillen, Int. Business Specialist

**CITY ATTORNEY**  
**PEDC II ATTORNEY**

Patricia Rigney  
Rene Ramirez

Mayor Hernandez called the workshop to order at 5:15 p.m.

**ITEM 1      PRESENTATION      ON      PHARR      ECONOMIC      DEVELOPMENT**  
**STRATEGIC PLAN**

Sergio Contreras, Interim PEDC Director, presented the Economic Development Strategic Plan. Topics covered and discussed were summary of community assessment, key factors for continued economic development, community visioning, input, values, SWOT (strengths, weaknesses, opportunities, threats) and economic development action plan.

There being no other business to come before the board, workshop adjourned at 5:28 p.m.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ  
MAYOR

PEDC II

\_\_\_\_\_  
President

**STATE OF TEXAS**  
**COUNTY OF HIDALGO**  
**CITY OF PHARR**

**ON THIS THE 23<sup>rd</sup> DAY OF SEPTEMBER, 2015** the Board of Commissioners of the City of Pharr, Texas and the Pharr Economic Development Corporation II Board of Directors convened in a **JOINT WORKSHOP SESSION** at the Commissioner's Room located at 118 S. Cage, 2<sup>nd</sup> Floor, Pharr, Texas. The workshop being open to the public and notice of said workshop, 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:



## MEMORANDUM

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**DATE:** September 30, 2015  
**TO:** Juan G. Guerra, City Manager  
**FROM:** Roy Garcia, Public Works Director

**SUBJECT:** Public Works Annual Bid(s)

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**ITEM:**

Consideration and action, if any, authorizing City Manager to advertise for the purchase & delivery of construction materials (Type D HMAC-Limestone Aggregate, Type D Cold Mix-Limestone Aggregate, Type F Grade 3 Caliche, Concrete Mix, Reinforced Concrete Pipe, Pavement Markings) for Public Works annual use FY 2015-2016.

**FINANCIAL CONSIDERATION:**

Total annual budget amount is \$425,000.00

**STAFF RECOMMENDATION:**

I recommend approval to advertise to receive the lowest, best & most advantageous cost of materials and more importantly to abide the Texas Municipal Procurement Laws.



## MEMORANDUM

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**DATE:** September 29, 2015  
**TO:** Juan G Guerra, City Manager  
**FROM:** William F. Ueckert Jr., P.E. - City Engineer

**SUBJECT: Agenda Request: Consideration and action, if any, on request to advertise for 1<sup>st</sup> Year – Phase “A” Street Paving Program.**

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### ISSUE

The City Commission approve a four (4) year city wide paving program during the budget presentation. This request is to advertise for bids for the 1<sup>st</sup> Year of the paving program. The 1<sup>st</sup> Year is divided into Phases based on available budget amount. Phase “A” will be streets in the south section of Pharr. See attached breakdown of streets and estimated cost.

### FINANCIAL CONSIDERATION

Estimated total construction cost for Phase “A” is **\$1,200,000**.

### STAFF RECOMMENDATION

Staff recommends to advertise for bids. Construction will begin sometime in December or January.

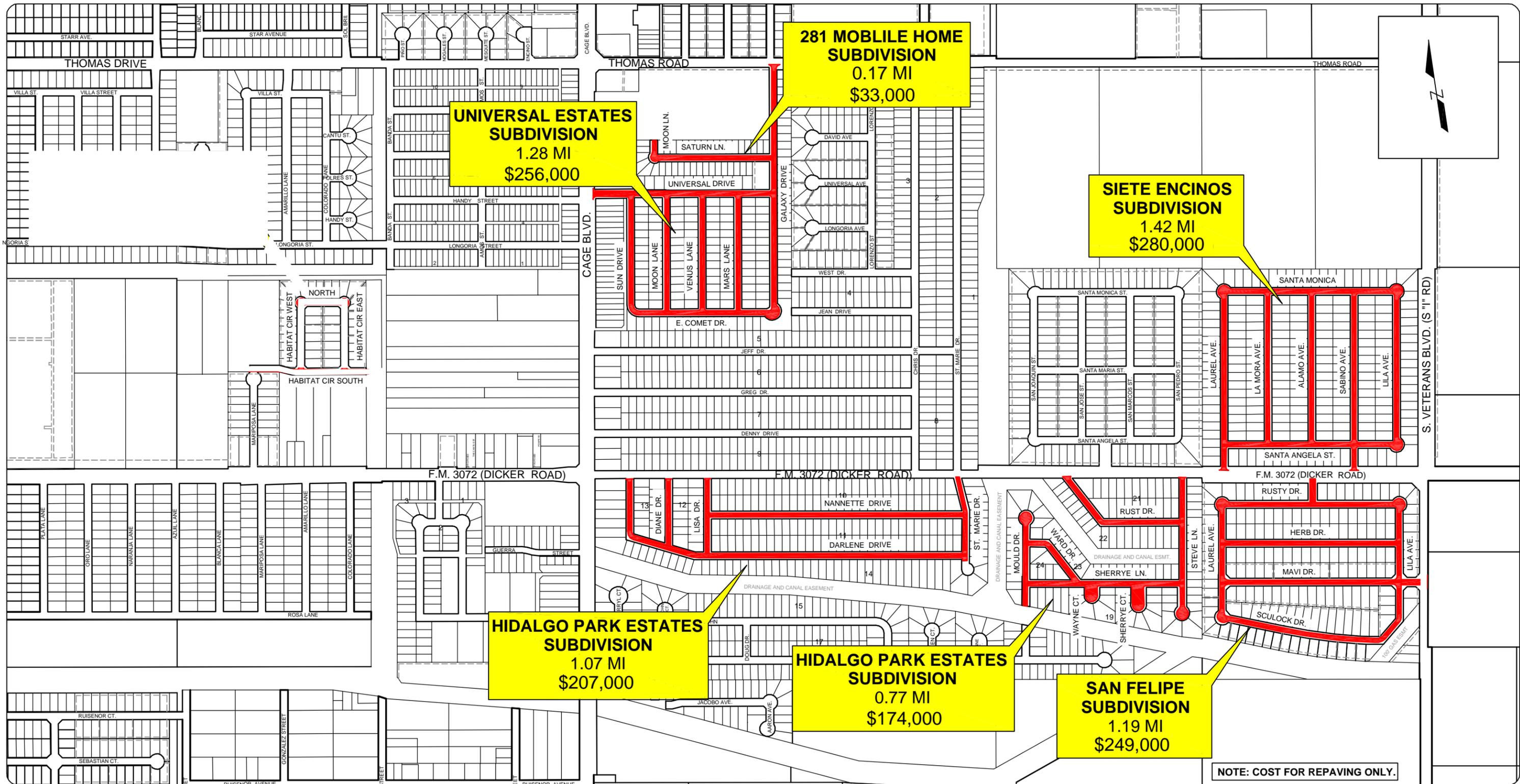
### ALTERNATIVES

CITY OF PHARR STREET IMPROVEMENTS PROJECT

**YEAR 1 Phase "A"**

FY 2015-2016- \$1.2 MIL

<b>SOUTH PHARR- RESIDENTIAL STREETS</b>				
<b>SUBDIVISION</b>	<b>STREET</b>	<b>BEGIN</b>	<b>END</b>	<b>TOTAL MILES</b>
281 Mobile Home	S Moon Ln.	Dead End	E Saturn Ln.	0.17
	E Saturn Ln.	S Galaxy Dr.	S Moon Ln.	
Universal Estates	E Comet Dr.	S Galaxy Dr.	S Sun Dr.	1.28
	S Mars Ln.	E Comet Dr.	E Universal Dr.	
	S Moon Ln.	E Comet Dr.	E Universal Dr.	
	S Galaxy Dr.	E Comet Dr.	E Thomas Rd.	
	S Sun Dr.	E Comet Dr.	E Universal Dr.	
	E Universal Dr.	S Cage Blvd.	S Galaxy Dr.	
	S Venus Ln.	E Universal Dr.	E Comet Dr.	
Hidalgo Park Estates	E Darlene Dr.	S Darlene Dr.	S Saint Marie St.	1.07
	S Darlene Dr.	E Dicker Rd.	E Darlene Dr.	
	S Dianne Dr.	E Dicker Rd.	E Darlene Dr.	
	S Lisa Dr.	E Dicker Rd.	E Darlene Dr.	
	E Nannette Dr.	S Saint Marie St.	S Lisa Dr.	
	S Saint Marie St.	E Dicker Rd.	Dead End	
Hidalgo Park Estates	S Mould Dr.	Ward/Cul-de-sac	Sherrye/Dead End	0.77
	W Ward Dr.	S. Mould Dr.	E Sherrye Ln.	
	E Sherrye Ln.	S Mould Dr.	S Steve Ln.	
	S Wayne Ct	E Sherrye Ln.	Cul-de-sac	
	S Sherrye Ct	E Sherrye Ln.	Cul-de-sac	
	S Steve Ln	E Dicker Rd.	Cul-de-sac	
	E Rusty Dr.	E Dicker Rd.	S Steve Ln.	
Siete Encinos	S Laurel Ave	E Santa Monica St./Cul-de-sac	E Dicker Rd.	1.42
	S La Mora Ave	E Santa Monica St.	E Santa Angela St.	
	S Alamo Ave.	E Santa Monica St.	E Santa Angela St.	
	S Sabino Ave.	E Santa Monica St.	E Dicker Rd.	
	S Lila Ave.	E Santa Monica St./Cul-de-sac	E Santa Angela St./Cul-de-sac	
	E Santa Monica St.	S Laurel Ave./Cul-de-sac	S Lila Ave./Cul-de-sac	
	E Santa Angela St.	S Laurel Ave.	S Lila Ave.	
San Felipe	E Rusty Dr.	S Laurel Ave/Cul-de-sac	S Lila Ave/Cul-de-sac	1.19
	E Herb Dr.	S Laurel Ave.	S Lila Ave.	
	E Mavi Dr.	S Laurel Ave.	S Veterans Blvd.	
	E Scurlock Dr.	S Laurel Ave/Cul-de-sac	S Lila Ave.	
	S Laurel Ave	E Scurlock Dr.	E Rusty Dr.	
	S Lila Ave.	E Rusty Dr.	E Scurlock Dr.	
	entrance	E Dicker Rd.	E Rusty Dr.	
<b>TOTAL</b>				<b>5.90</b>



NOTE: COST FOR REPAVING ONLY.

# STREET IMPROVEMENTS PLAN YEAR 1 PHASE "A"

Engineering Department  
City of Pharr  
Hidalgo County, TX

118 S Cage Blvd.  
Pharr, TX 78577  
956-402-4221

DESIGNED BY:

DRAWN BY:  
JAP

PLOT SCALE:  
1:1

PLOT SIZE:  
ANSI\_B

FILE NAME:  
Year 1A - Street Improvements Map.dwg

FILE PATH:  
P:\ENGINEERING\Yearly Paving Program\Year 1 2015-2016\Drafting Folder\DWG

DATE:  
29-Sep-15

CHECKED BY:  
MR

PROJECT NO.:  
PROJECT\_NO



**Pharr  
Engineering**



## MEMORANDUM

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**DATE:** September 29, 2015  
**TO:** Juan G Guerra, City Manager  
**FROM:** William F. Ueckert Jr., P.E. - City Engineer

**SUBJECT: Agenda Request: Consideration and action, if any, on request to advertise for Bids on the Construction of the Pedestrian Bridge at the Jones Box Park.**

---

### ISSUE

The city commission approved the construction of a pedestrian bridge at the Jones Box Park. The permit has been approved by Hidalgo County Drainage District #1 and plans are complete.

### FINANCIAL CONSIDERATION

Estimated construction cost is **\$300,000**.

### STAFF RECOMMENDATION

Staff recommends to advertise for project.

### ALTERNATIVES



## MEMORANDUM

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**DATE:** September 29, 2015  
**TO:** Juan G Guerra, City Manager  
**FROM:** William F. Ueckert Jr., P.E. - City Engineer

**SUBJECT: Agenda Request: Consideration and action, if any, on Request for Proposals from electrical engineering firms to evaluate the electrical system at the Pharr Aquatic Center in conjunction with PSJA ISD.**

---

### ISSUE

The Pharr Aquatic has experienced some major electrical outages and electrical malfunctions since the completion of the project. PSJA ISD has agreed to share the cost with the city to retain an electrical engineer to evaluate the electrical system of the facility.

### FINANCIAL CONSIDERATION

Estimated engineering cost is estimated at **\$50,000**.

### STAFF RECOMMENDATION

Staff recommends to request RFP for electrical engineers.

### ALTERNATIVES

## MEMORANDUM

---

**DATE:** TUESDAY, OCTOBER 06, 2015  
**TO:** MAYOR AND CITY COMMISSION  
**FROM:** MELANIE CANO, INTERIM DIRECTOR OF DEVELOPMENT SERVICES   
**THROUGH:** JUAN GUERRA, CITY MANAGER

**SUBJECT:** CONDITIONAL USE PERMIT & LATE HOURS PERMIT FOR ABC –  
FILE NO. **CUP#150953** (EL BUCANERO, L.L.C.)

---

### GENERAL INFORMATION:

**APPLICANT:** El Bucanero, L.L.C., has filed with the Planning and Zoning Commission a request for 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).

**LEGAL DESCRIPTION:** The property is legally described as being a 1.765 acre tract of land, more or less, out of Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property is located at 1209 East Nolana Loop.

**ZONING:** The property is currently zoned General Business District (C). The surrounding area is zoned Agricultural and/or Open Space District (A-O) to the North, and General Business District (C) to the East, West and South. The area is generally designated for commercial and industrial use in the Land Use Plan.

**COMMENTS:** **CODE ENFORCEMENT:** Recommends approval of the Conditional Use Permit. (See attached memo)

**FIRE MARSHAL:** Recommends approval of the Conditional Use Permit. (See attached memo)

**POLICE CHIEF:**

Recommends approval of the Conditional Use Permit.  
(See attached memo)

**PLANNING DEPT.:**

Recommends approval of the Conditional Use Permit.  
(See attached memo)

**NOTIFICATION OF PUBLIC:**

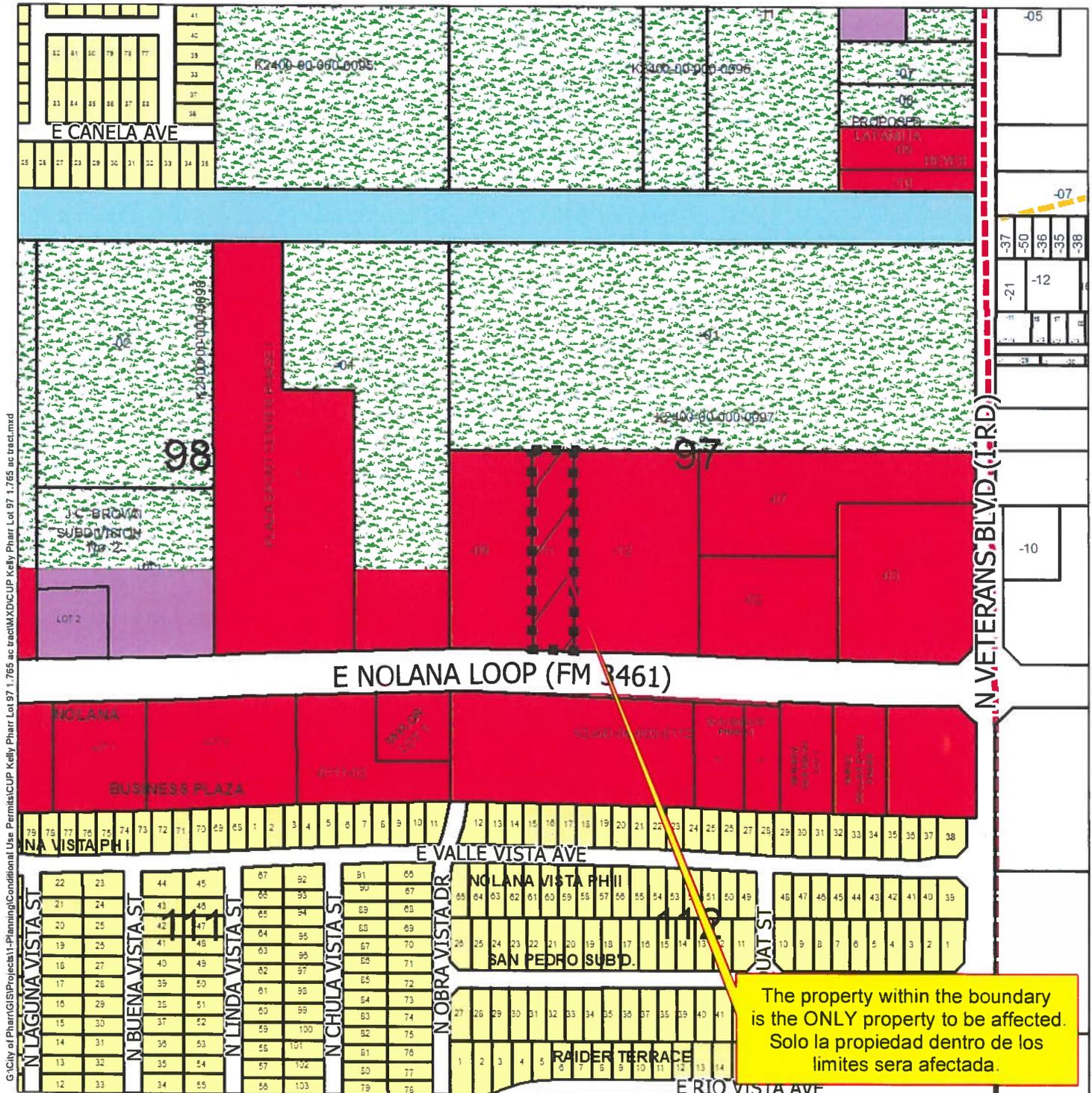
Six (6) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

**DEVELOPMENT SERVICES STAFF RECOMMENDATIONS:**

Development Services Staff is recommending **approval** of the request for 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) subject to site being in compliance with all City Ordinances and City Department requirements.

**PLANNING & ZONING COMMISSION:**

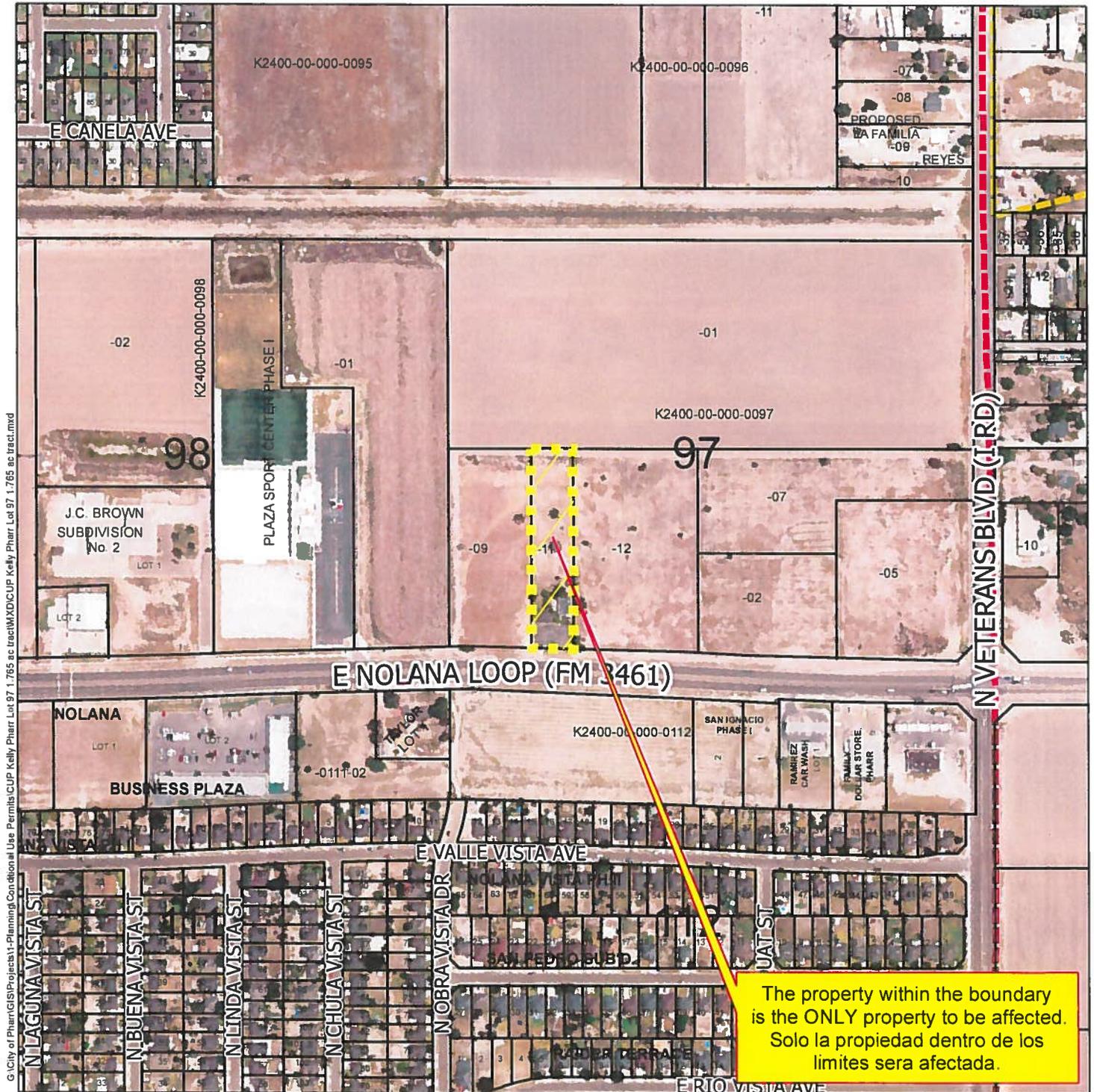
Planning Commission voted unanimously to approve the request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to staff's recommendations.



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- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |

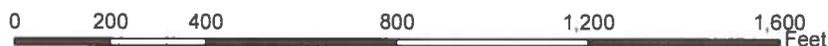




The property within the boundary is the ONLY property to be affected. Solo la propiedad dentro de los limites sera afectada.

G:\City of Pharr\GIS\Projects\1-Planning\Conditional Use Permits\CUP Kelly Pharr Lot 97 1.765 ac tract\WXCUP Kelly Pharr Lot 97 1.765 ac tract.mxd

- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W           | Heavy Commercial  | PSJA ISD                |                          |



**CITY OF PHARR  
COMMUNITY PLANNING & DEVELOPMENT  
CERTIFICATE OF OCCUPANCY & CONDITIONAL USE PERMIT  
INSPECTION FORM**

4048

OWNER/APPLICANT: East - Marin PHONE: 916 760-0422  
 ADDRESS: 1209 E. Antigua  
 TYPE OF BUSINESS: Restaurant NAME OF BUSINESS: FL BUCARINI  
 LEGAL: \_\_\_\_\_ SUBD.: \_\_\_\_\_

EXISTING BUILDING \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IF YES, PREVIOUS TYPE OF OCCUPANCY(S) \_\_\_\_\_  
 MIXED OCCUPANCY \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IF YES, TYPE OF ADJACENT OCCUPANCY(S) \_\_\_\_\_  
 CHANGE OF OCCUPANCY FROM PREVIOUS? \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IS CHANGE OF WALL ASSEMBLY REQUIRED? \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IS FIRE PROTECTION REQUIRED? \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IF SO, WHAT TYPE? \_\_\_\_\_

**BUILDING STATUS/STRUCTURAL:**  
 1. FLOOR \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 2. WALLS: \_\_\_\_\_ EXTERIOR \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 \_\_\_\_\_ INTERIOR \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 3. CEILING \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 4. ROOF \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD

**MEANS OF EGRESS:**  
 1. OCCUPANT LOAD (IF APPLICABLE) \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 2. NUMBER OF EXITS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 3. MEANS OF EGRESS LIGHTING \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 4. EXIT SIGNS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 5. DOOR HARDWARE \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD

**ACCESSIBILITY:**  
 1. RESTROOMS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 2. PATH OF EGRESS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 3. RAMPS (HANDRAILS/GUARDS) \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 4. DOORS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD

**ELECTRICAL:**  
 1. SERVICE ENTRANCE \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 2. SERVICE EQUIPMENT \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 3. WIRING SYSTEM \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 4. LIGHT FIXTURE \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 5. RECEPTACLE OUTLETS (G.F.C.I. WHERE REQUIRED) \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD

**MECHANICAL:**  
 1. REGISTERS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 2. GRILL \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 3. DRAIN \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 4. EQUIPMENT \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD

**PLUMBING:**  
 1. P. TRAPS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 2. VENTS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 3. DRAINS \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 4. PLUMBING FIXTURES \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 5. WATER SERVICE LINE \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 6. DISTRIBUTION LINES \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 7. GREASE TRAP (INTERCEPTOR/SEPARATOR) \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 8. BACKFLOW PREVENTION \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD

**WATER HEATER:**  
 1. LOCATION \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 2. T.P. VALVE & DRAIN \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 3. SHUT-OFF VALVE \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
 4. VENT \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD

**GAS SYSTEM** \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
**PREMISE** \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD  
**GARBAGE CONTAINER** \_\_\_\_\_ OK \_\_\_\_\_ SUBSTANDARD

**BUILDING/SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:**

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_

PREPARED BY: [Signature] DATE: 9-16-15  
 RECEIVED BY: [Signature] DATE: 9-16-15

**PASSED**

---

**FAILED:**

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**PASSED WITH  
CONDITIONS:**

---

**RE-INSPECT  
DATE:**

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Please note: Owner/Applicant is responsible to contact the City of Pharr Community Planning & Development Dept. at 702-5399 when improvements have been completed. Any permits with regard to this location will remain on hold until full compliance is met.



Prevention Division  
118 S. Cage Blvd., 3rd Fl  
Pharr, Texas 78577  
Ph: 956-402-4400  
Fax: 956-475-3433  
fireprevention@pharrfd.net

September 17, 2015

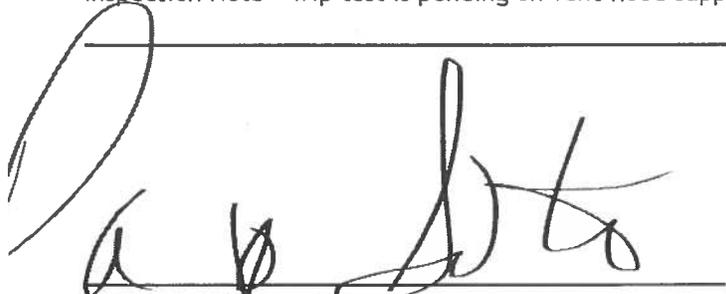
EL BUCANERO  
1209 E NOLANA  
PHARR, TX 78577

INSPECTION STATUS - PASSED

An inspection of your facility on Sep 17, 2015 revealed no violations.

Inspection Note Trip test is pending on vent-hood suppression system.

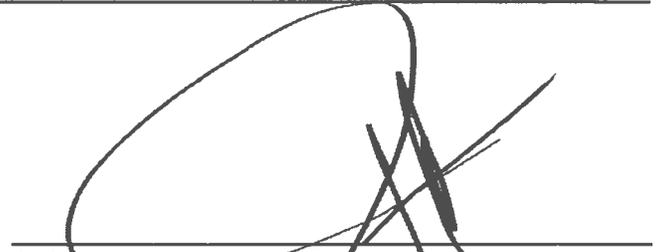
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1525 DAGOBERTO SOTO  
Inspector

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Carlos Marin



## Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751  
PH: (956) 784-7700 • FAX: (956)781-9163



To: Melanie Cano, Interim Director Development Services  
From: Joel Robles, Asst. Chief of Police  
Date: 09/23/2015  
Re: Conditional use Permit and Late Hours Permit for ABC – File No. CUP#150953 (El Bucanero LLC)

Odette Ramirez (DL#23189957) and Antonio Castro (DL#23189957) d/b/a El Bucanero LLC, has filed with the Planning and Zoning Commission requesting for 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 more fully described as follows:

Legal Description: Being a 1.765 acre tract of land, more or less, out of Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas

Physical Address: 1209 E. Nolana Loop – Contact # (b)(6)

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

### REPLY

**Ms. Cano, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.**

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tags and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.

Signed: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Joel Robles", written over a horizontal line.

Date: 09/23/2015



## MEMORANDUM

---

**DATE:** TUESDAY, OCTOBER 06, 2015  
**TO:** MAYOR AND CITY COMMISSION  
**FROM:** MELANIE CANO, INTERIM DIRECTOR OF DEVELOPMENT SERVICES

**SUBJECT:** CONDITIONAL USE PERMIT & LATE HOURS PERMIT FOR ABC –  
FILE NO. **CUP#150953** (EL BUCANERO, L.L.C.)

---

El Bucanero, L.L.C., has filed with the Planning and Zoning Commission a request for 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 more fully described as follows:

**Legal Description:** Being a 1.765 acre tract of land, more or less, out of Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

**Physical Address:** 1209 East Nolana Loop.

Planning staff is recommending **approval** of the request for a Conditional Use Permit and Late Hours Permit provided site and applicant being in compliance with all City Ordinances and City Department requirements.

## BUCANERO FAMILIAR

### Family Packages

Botana Bucanero.....	\$49.99
<b>Buccaneer Sampler plate</b> Camarones y pescado empanizado	
Mariscada.....	\$49.99
Pulpo y camarones	



## MENU INFANTIL

### Kids Menu

Filetes Empanisados (2).....	\$4.99
<b>Breaded Fish Fillet</b>	
Nuggets de Pollo.....	\$4.99
<b>Chicken Nuggets</b>	



## BEBIDAS

### Drinks

Refrescos.....	\$2.29
<b>Sodas</b>	
Limonada.....	\$3.00
<b>Lemonade</b>	
Jarra de Limonada.....	\$6.99
<b>Lemnoade Pitcher</b>	
Te Helado.....	\$1.79
<b>Ice Tea</b>	
Cerveza Importada.....	\$3.79
<b>Imported Beer</b>	
Cerveza Local.....	\$3.79
<b>Domestic Beer</b>	
Michelada.....	\$5.90
Michelada Cerveza Importada.....	\$5.90

## POSTRES

### Desserts

Flan.....	\$5.99
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# EL BUCANERO

SEAFOOD, BEER & EVENTS

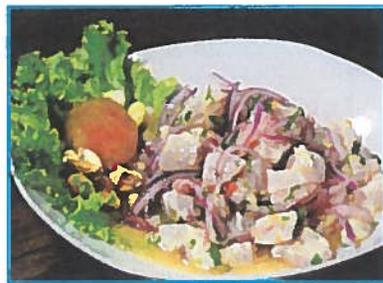
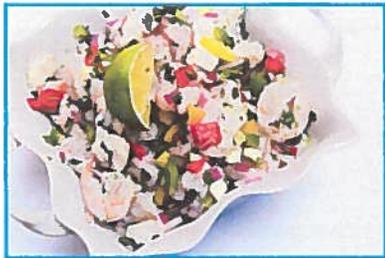
## MENU

956-352-3025

## LA ESPECIALIDAD DEL BUCANERO

### The Buccaneer Speciality

Camarones Empanizados.....\$11.99 <i>Fried Shrimp</i>	Pulpo a la Diabla.....\$10.99 <i>Spicy Hot Octopus platter</i>
Camarones a la Diabla.....\$10.99 <i>Spicy Hot Shrimp Platter</i>	Ceviche de Camaron.....\$9.99 <i>Shrimp Ceviche</i>
Camarones al Mojo de Ajo.....\$11.99 <i>Shrimp in Garlic Butter</i>	Ceviche de pescado.....\$9.99 <i>Fish Ceviche</i>
Camarones al Aguachile Verdes.....\$12.99 <i>Shrimp in Garlic Butter</i>	Tiritas de Pescado.....\$9.99 <i>Fish strips</i>
Camarones Costa Azul c/tocino.....\$12.99 <i>Costa Azul Shrimp w/ bacon</i>	



## BOTANAS

### APPETIZERS

Ostiones en su concha.....\$16.50 <i>Oyster on the half shell (in season)</i>	Tostadas de Ceviche (3).....\$9.99 <i>Ceviche Tostadas</i>
Ostiones a la parrilla gratinados.....\$11.99 <i>Grilled oyster melted in cheese</i>	Tostadas de Camaron (3).....\$9.99 <i>Shrimp tostadas</i>
Quesadillas de camaron al chipotle.....\$9.99 <i>Shrimp Quesadillas with chipotle (optional)</i>	Guacamole.....\$7.99 <i>Avocado</i>
Camaronillas (3).....\$7.99 <i>Crispy Shrimp Tacos</i>	Nachos de camaron.....\$5.99 <i>Shrimp nachos</i>

SMALL LARGE

## COCTELES

### Sea Food Cocktails

	SMALL	LARGE
Camaron.....\$6.99 <i>Shrimp</i>	\$6.99	\$10.99
Ostion.....\$8.50 <i>Oyster in season</i>	\$8.50	\$14.50
Camaron y Pulpo.....\$6.99 <i>Shrimp &amp; Octopus</i>	\$6.99	\$10.99



## FILETES DE LA CASA

### House Fillets

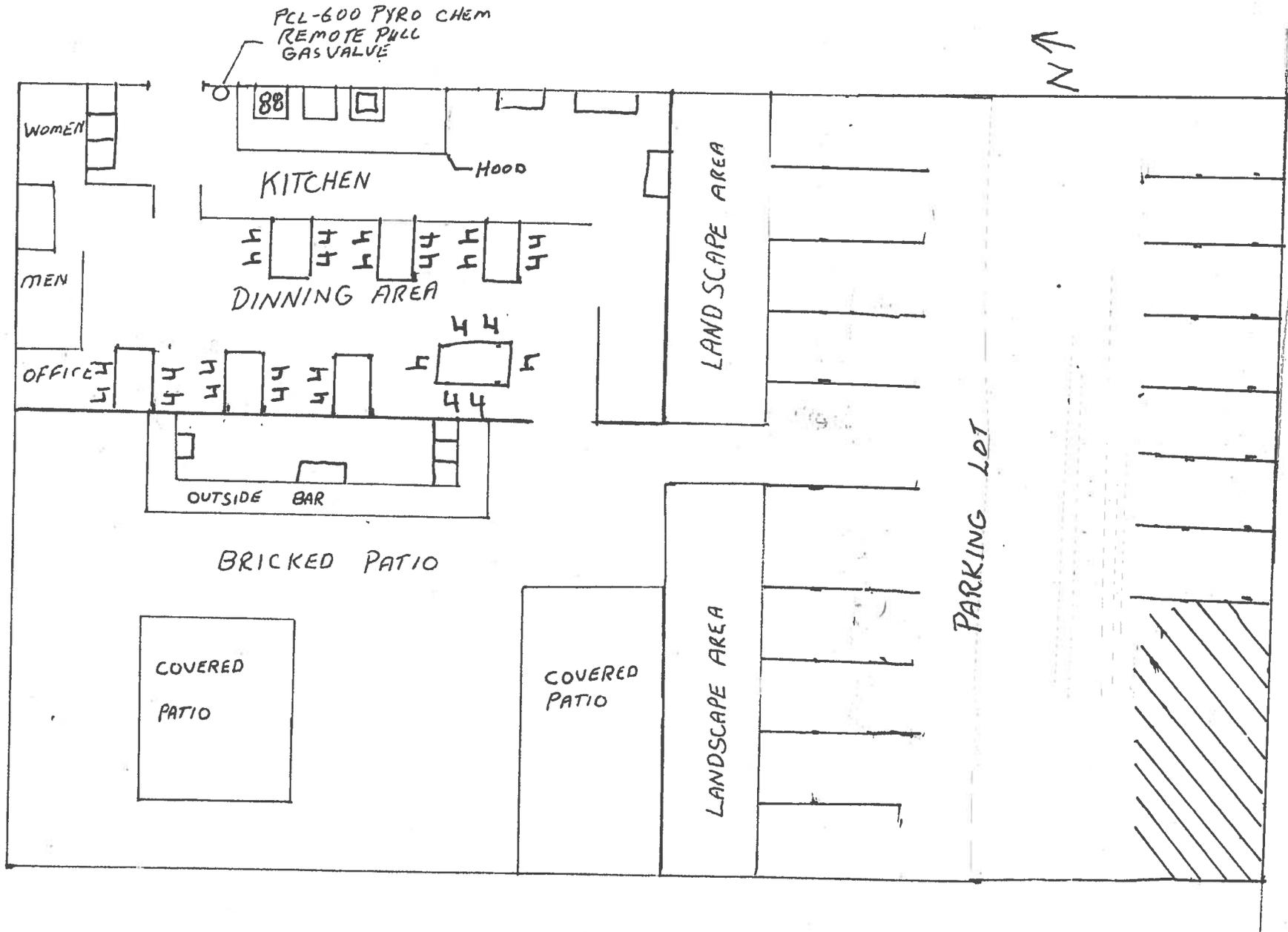
Filete Empanizado.....\$9.99 <i>Breaded Fish Fillet</i>	\$9.99
Filete a la Plancha.....\$9.99 <i>Grilled Fish Fillet</i>	\$9.99
Pescado a la Talla.....\$9.99 <i>Charbroiled Fish Fillet</i>	\$9.99
Filete de Chicharron.....\$9.99 <i>Crunchy Fillet</i>	\$9.99

## SOPAS Y CALDOS

### Sea Food Soups & Broths

Caldo de Camaron.....\$10.99 <i>Shrimp Soup</i>	\$10.99
Caldo 7 Mares.....\$10.99 <i>7 Ocean Soup</i>	\$10.99





1209 EAST NOLANA



Eddie Enriquez  
Sep 24, 2015 4:25:19 PM



Eddie Enriquez  
Sep 24, 2015 4:27:02 PM

## MEMORANDUM

---

**DATE:** TUESDAY, OCTOBER 06, 2015

**TO:** MAYOR AND CITY COMMISSION

**FROM:** MELANIE CANO, INTERIM DIRECTOR OF DEVELOPMENT SERVICES 

**THROUGH:** JUAN GUERRA, CITY MANAGER

**SUBJECT:** CONDITIONAL USE PERMIT & LATE HOURS PERMIT FOR ABC –  
FILE NO. **CUP#150954** (LA FONDA)

---

### GENERAL INFORMATION:

**APPLICANT:** La Fonda has filed with the Planning and Zoning Commission a request for 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).

**LEGAL DESCRIPTION:** The property is legally described as being a .07 acre tract of land, more or less, out of Lot 1, Jackson Ridge Court Subdivision Phase II, Pharr, Hidalgo County, Texas.

**LOCATION:** The property is located at 1201 South Jackson Road, Suite 7.

**ZONING:** The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the North, East South and city limits lie to the West. The area is generally designated for commercial use in the Land Use Plan.

**COMMENTS:**

<b>CODE ENFORCEMENT</b>	Recommends approval of the Conditional Use Permit. (See attached memo)
-------------------------	--

<b>FIRE MARSHAL:</b>	Recommends approval of the Conditional Use Permit. (See attached memo)
----------------------	--

**POLICE CHIEF:**

Recommends approval of the Conditional Use Permit. (See attached memo)

**PLANNING DEPT.:**

Recommends approval of the Conditional Use Permit. (See attached memo)

**NOTIFICATION OF PUBLIC:**

Two (2) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

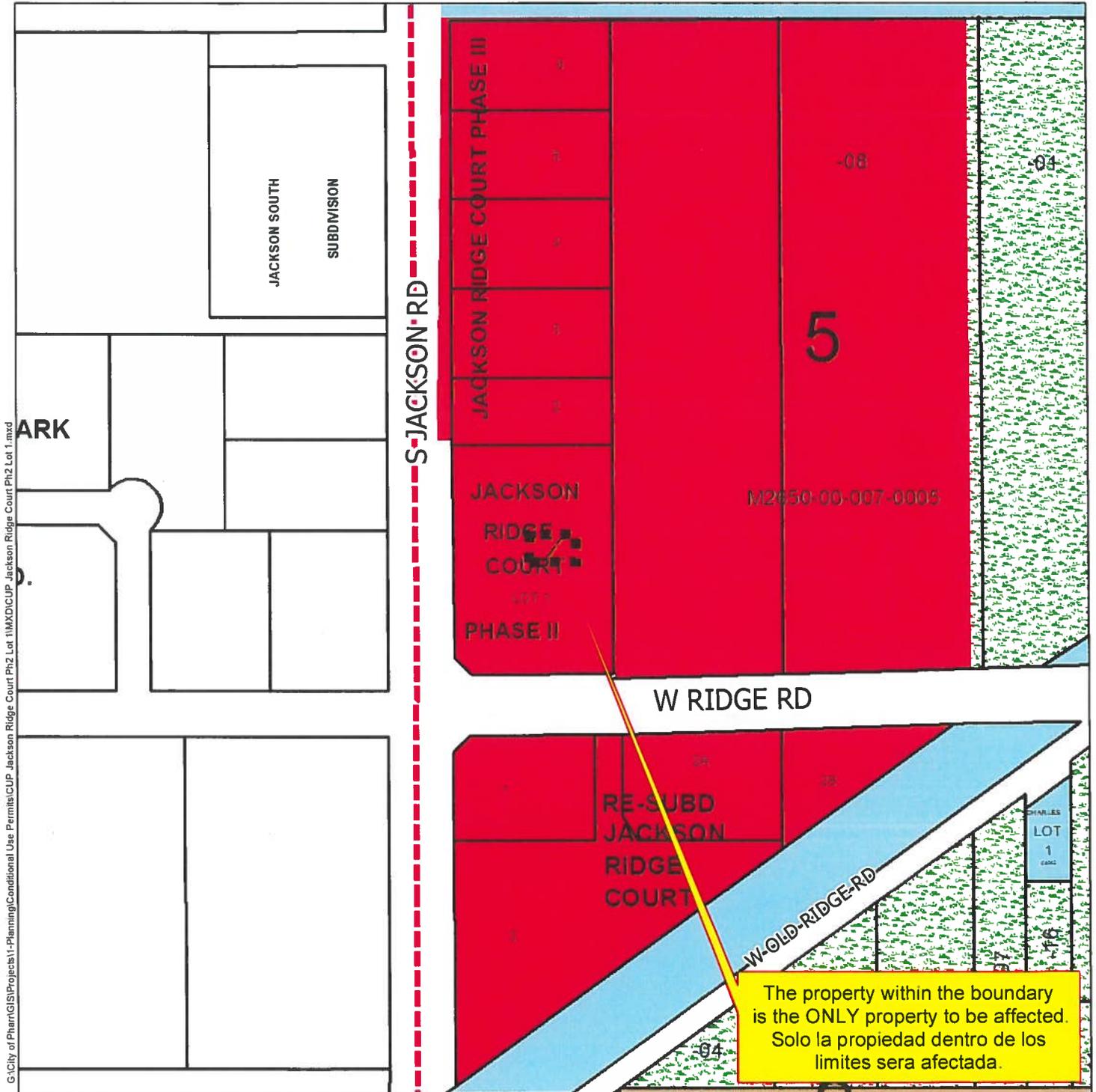
**DEVELOPMENT SERVICES STAFF RECOMMENDATIONS:**

Development Services Staff is recommending **approval** of the request for 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) subject to site being in compliance with all City Ordinances and City Department requirements.

**PLANNING & ZONING COMMISSION:**

Planning Commission voted unanimously to approve the request for 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) subject to staff's recommendations.

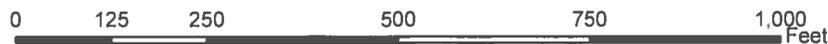
Proposed Conditional Use Permit  
 Jackson Ridge Court Ph2 Lot 1  
 La Fonda / Alma Rodriguez



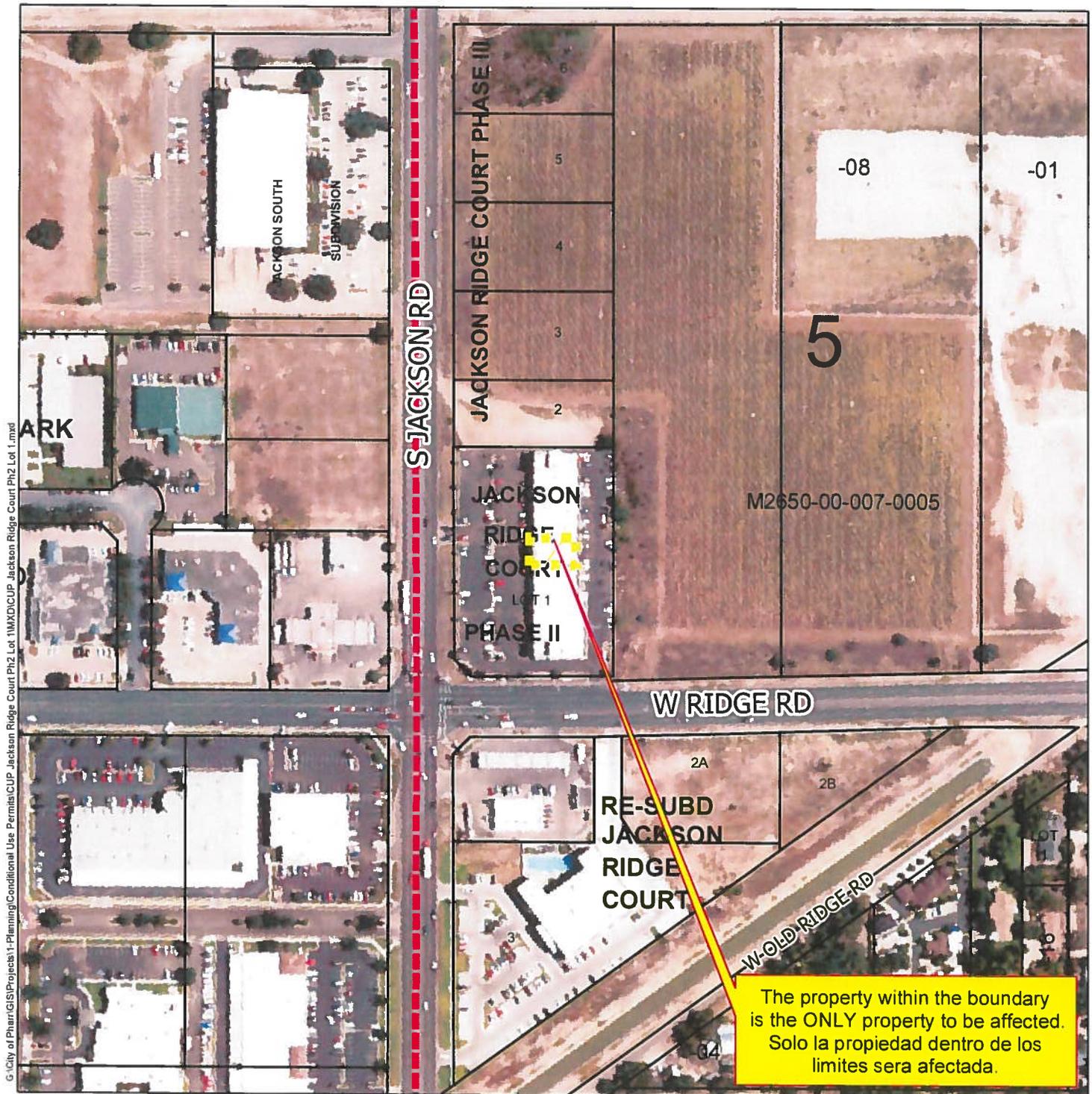
G:\City of Pharr\GIS\Projects\1-Planning\Conditional Use Permits\CUP - Jackson Ridge Court Ph2 Lot 1.mxd

- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |

Scale: 1 inch = 250 feet



Date: 9/2/2015



G:\City of Pharr\GIS\Projects\1-Planning\Conditional Use Permits\CUP Jackson Ridge Court Ph2 Lot 1.mxd

- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |



**CITY OF PHARR  
COMMUNITY PLANNING & DEVELOPMENT  
CERTIFICATE OF OCCUPANCY & CONDITIONAL USE PERMIT  
INSPECTION FORM**

3315

OWNER/APPLICANT: Alvin O. Robinson PHONE: 956 775-0755  
 ADDRESS: 1231 S Jackson  
 TYPE OF BUSINESS: Restaurant NAME OF BUSINESS: La Granda  
 LEGAL: \_\_\_\_\_ SUBD.: \_\_\_\_\_

EXISTING BUILDING \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IF YES, PREVIOUS TYPE OF OCCUPANCY(S) Same  
 MIXED OCCUPANCY \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IF YES, TYPE OF ADJACENT OCCUPANCY(S) \_\_\_\_\_  
 CHANGE OF OCCUPANCY FROM PREVIOUS? \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IS CHANGE OF WALL ASSEMBLY REQUIRED? \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IS FIRE PROTECTION REQUIRED? \_\_\_\_\_ YES \_\_\_\_\_ NO  
 IF SO, WHAT TYPE? Fire and gas

**BUILDING STATUS/STRUCTURAL:**

1. FLOOR	_____	OK	_____	SUBSTANDARD
2. WALLS:				
- EXTERIOR	_____	OK	_____	SUBSTANDARD
- INTERIOR	_____	OK	_____	SUBSTANDARD
3. CEILING	_____	OK	_____	SUBSTANDARD
4. ROOF	_____	OK	_____	SUBSTANDARD

**MEANS OF EGRESS:**

1. OCCUPANT LOAD (IF APPLICABLE)	_____	OK	_____	SUBSTANDARD
2. NUMBER OF EXITS	_____	OK	_____	SUBSTANDARD
3. MEANS OF EGRESS LIGHTING	_____	OK	_____	SUBSTANDARD
4. EXIT SIGNS	_____	OK	_____	SUBSTANDARD
5. DOOR HARDWARE	_____	OK	_____	SUBSTANDARD

**ACCESSIBILITY:**

1. RESTROOMS	_____	OK	_____	SUBSTANDARD
2. PATH OF EGRESS	_____	OK	_____	SUBSTANDARD
3. RAMPS (HANDRAILS/GUARDS)	_____	OK	_____	SUBSTANDARD
4. DOORS	_____	OK	_____	SUBSTANDARD

**ELECTRICAL:**

1. SERVICE ENTRANCE	_____	OK	_____	SUBSTANDARD
2. SERVICE EQUIPMENT	_____	OK	_____	SUBSTANDARD
3. WIRING SYSTEM	_____	OK	_____	SUBSTANDARD
4. LIGHT FIXTURE	_____	OK	_____	SUBSTANDARD
5. RECEPTACLE OUTLETS (G F C I WHERE REQUIRED)	_____	OK	_____	SUBSTANDARD

**MECHANICAL:**

1. REGISTERS	_____	OK	_____	SUBSTANDARD
2. GRILL	_____	OK	_____	SUBSTANDARD
3. DRAIN	_____	OK	_____	SUBSTANDARD
4. EQUIPMENT	_____	OK	_____	SUBSTANDARD

**PLUMBING:**

1. P. TRAPS	_____	OK	_____	SUBSTANDARD
2. VENTS	_____	OK	_____	SUBSTANDARD
3. DRAINS	_____	OK	_____	SUBSTANDARD
4. PLUMBING FIXTURES	_____	OK	_____	SUBSTANDARD
5. WATER SERVICE LINE	_____	OK	_____	SUBSTANDARD
6. DISTRIBUTION LINES	_____	OK	_____	SUBSTANDARD
7. GREASE TRAP (INTERCEPTOR/SEPARATOR)	_____	OK	_____	SUBSTANDARD
8. BACKFLOW PREVENTION	_____	OK	_____	SUBSTANDARD

**WATER HEATER:**

1. LOCATION	_____	OK	_____	SUBSTANDARD
2. T.P. VALVE & DRAIN	_____	OK	_____	SUBSTANDARD
3. SHUT-OFF VALVE	_____	OK	_____	SUBSTANDARD
4. VENT	_____	OK	_____	SUBSTANDARD

**GAS SYSTEM**

PREMISE	_____	OK	_____	SUBSTANDARD
GARBAGE CONTAINER	_____	OK	_____	SUBSTANDARD

**PASSED**

---

**FAILED:**

---

**PASSED WITH  
CONDITIONS:**

---

**RE-INSPECT  
DATE:**

---

**BUILDING/SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:**

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_

PREPARED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Please note: Owner/Applicant is responsible to contact the City of Pharr Community Planning & Development Dept. at 702-5399 when improvements have been completed. Any permits with regard to this location will remain on hold until full compliance is met.



Prevention Division  
118 S. Cage Blvd., 3rd Fl  
Pharr, Texas 78577  
Ph: 956-402-4400  
Fax: 956-475-3433  
fireprevention@pharrfd.net

August 7, 2015

LA FONDA  
1201 S JACKSON RD UNIT 7  
PHARR, TX 78577

**INSPECTION STATUS - PASSED**

An inspection of your facility on Aug 7, 2015 revealed no violations.

---

2960 EDUARDO LUGO  
Inspector



## Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751  
PH: (956) 784-7700 • FAX: (956)781-9163



To: Melanie Cano, Interim Director Development Services  
From: Joel Robles, Asst. Chief of Police  
Date: 09/23/2015  
Re: Conditional use Permit and Late Hours Permit for ABC – File No. CUP#150954 (La Fonda)

Alma I. Rodriguez Solis, [REDACTED], d/b/a La Fonda, has filed with the Planning and Zoning Commission requesting for 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 more fully described as follows:

Legal Description: Being a .07 acre tract of land, more or less, out of Lot 1, Jackson Ridge Court Subdivision Phase II, Pharr, Hidalgo County, Texas

Physical Address: 1201 S. Jackson Rd. Suite 7 – Contact # [REDACTED]

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

### REPLY

**Ms. Cano, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.**

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tags and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.

Signed: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Joel Robles", written over a horizontal line.

Date: 09/23/2015



## MEMORANDUM

---

**DATE:** TUESDAY, OCTOBER 06, 2015

**TO:** MAYOR AND CITY COMMISSION

**FROM:** MELANIE CANO, INTERIM DIRECTOR OF DEVELOPMENT SERVICES

**SUBJECT:** CONDITIONAL USE PERMIT & LATE HOURS PERMIT FOR ABC –  
FILE NO. **CUP#150954** (LA FONDA)

---

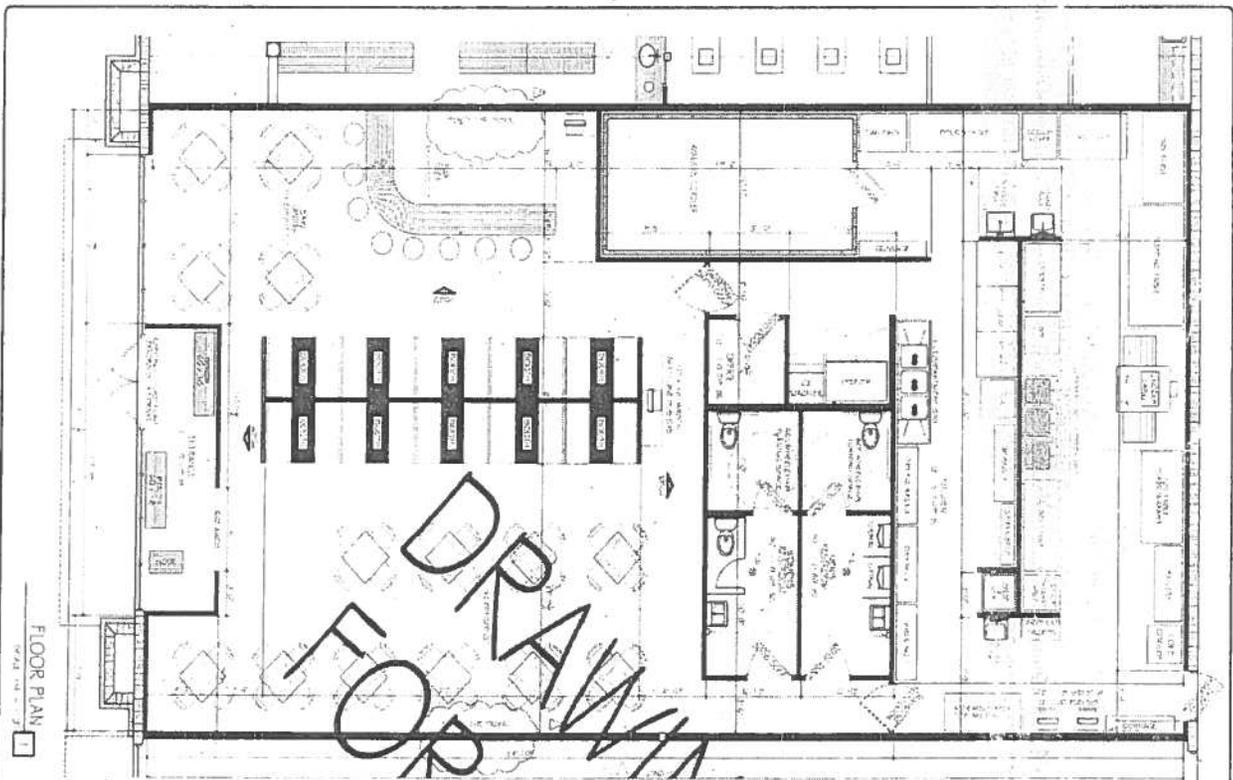
La Fonda has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is more fully described as follows:

**Legal Description:** Being a .07 acre tract of land, more or less, out of Lot 1, Jackson Ridge Court Subdivision Phase II, Pharr, Hidalgo County, Texas.

**Physical Address:** 1201 South Jackson Road, Suite 7.

Planning staff is recommending **approval** of the request for a Conditional Use Permit and Late Hours Permit provided site and applicant being in compliance with all City Ordinances and City Department requirements.

Space to be delivered "AS IS"  
Current FloorPlan



N  
E  
S  
W

Jackson Rd.

Ridge Rd.

FOR DRAWING

FLOOR PLAN

## **-CEVICHERÍA- TOSTADAS**

CEVICHE DE PULPO \$3.99

CEVICHE DE CAMARÓN \$3.99

CEVICHE VUELVE A LA VIDA \$3.99  
(Pulpo y camarón)

CEVICHE DE ATÚN-PUERCO \$4.99  
(Ligero toque de habanero negro,  
mayonesa y chicharrón de cerdo)

CEVICHE DE ATÚN ORIENTAL \$4.99  
(Con jicama y mango, junto con una  
mezcla picante irresistible de chiles dulces  
y aceite de ajonjolí)

CEVICHE DE PESCADO \$3.99

CEVICHE DE PESCADO CON SALSA  
DE MANGO Y CILANTRO \$3.99

AGUACHILE DE CAMARÓN \$3.99

## **CEVICHE Y AGUACHILES**

CEVICHE ROSA \$8.99  
(Ceviche de pescado aromatizado y  
mezclado con leche de ligre de  
jengibre y ligeros toques dulces de  
naranja y betabel)

AGUACHILE DE RIB EYE \$15.99  
(Rib eye sellado a la parilla,  
con salsa de aguachile y ajo tramezado)

AGUACHILE DE CAMARÓN \$13.99

## **-ENTRADAS-**

CHICHARRÓN DE RIB EYE \$14.99  
(En una camita de guacamole)

PANELA A LA PLANCHA  
BAÑADA EN SALSA VERDE \$6.99

GUACAMOLE \$6.99

CHORI QUESO \$7.99

TUÉTANOS A LA PARRILLA \$6.99

CALDO TIALPEÑO \$7.99

## **PA' TIRAR CREMA**

CREMA DE CHILE GUAJILLO \$6.99

CREMA DE ELOTE \$6.99

## **CONCHAS**

OSTIONES FRESCOS EN SU  
CONCHA \$9.99 DOZEN

## **-ENSALADAS-**

TROPICAL \$6.99  
(Mix de lechugas, fresa, mango,  
almonadas, tomate cherry y  
vinagreta de fresa)

ENSALADA DE LA CASA \$7.50  
(Mix de lechugas, pollo al grill, queso  
panela, tomate cherry y  
aderezo ranch)

## **-TACOS- \$4.99 EACH**

PULPO  
(Rebozado y frito, en una ligera cama de  
guacamole, rabanitos y ensalada  
de verdolagas)

PORK BELLY  
(Pork belly cocinado con agua de coco  
en un adobo dulce de guajillo y chiles  
orientales, coronado con cueritas  
de cerdo)

BAJA FISH  
(Pescado capeado estilo Baja California  
con una ensalada de col dulce)

GOBERNADOR  
(Los tradicionales tacos gobernador  
de camarón a la plancha con salsa  
mexicana y queso fundido)

LENGUA Y PANELA  
(Bañados con salsa verde)

FAJITAS CON QUESO  
(Fajita asada con queso fundido)

RIB EYE  
(Rib eye a la parilla con guacamole)

CABRITO AL HORNO

## **-LOS PLATOTES-**

MOLE DULCE \$13.99  
(Plena con muslo de pollo con  
mole artesanal negro)

FILETE DE RES EN ADOBO DE  
JUGO DE CARNE Y CHILES  
SOBRE PURE DE COLIFLOR \$18.99

COSTILLAS DE CERDO  
AL PIBIL \$13.99

CHAMORRO CONFITADO CON  
REDUCCIÓN DE BETABEL Y  
PAPITAS CAMBRAY \$14.99

ASADO DE PUERCO \$10.99  
(Tradicional asado de boda,  
en adobo de guajillo)

GRISO DE CHICHARRÓN  
PRENSADO CON PULPO \$13.99

FILETE DE MAHI MAHI CON  
UNA SALSA CREMOSA DE POZOLE  
VERDE \$15.99

CAMARONES EMPANIZADOS \$16.99  
(Acompañados de una crema  
de chipotle sracha y soya dulce)

## **-PARRILLA-**

RIB EYE A LA PARRILLA \$18.99  
(Con un glaseado de res y  
una papa al horno)

PARRILLADA MIXTA \$32.99  
2 PERSONAS  
(Fajita, pollo y salchicha  
acompañada de pimientos asados,  
mollejas, arroz, y frijoles refritos)

PARRILLADA MIXTA \$61.99  
4 PERSONAS  
(Fajita, pollo y salchicha  
acompañada de pimientos asados,  
mollejas, arroz, y frijoles refritos)

SHORT RIB \$17.99  
(Jugosa y suave short rib a la  
parilla acompañada de cebollas  
y pimientos asados)

\*TODOS NUESTROS PLATILLOS  
INCLUYEN ARROZ Y FRIJOL  
REFRITOS DE ACOMPAÑAMIENTO.

## **-MENÚ NIÑOS-**

NUGGETS \$5.99

DEDOS DE QUESO \$5.99

MACARRONES \$4.99

PAPAS FRITAS \$3.99

CHICKEN STRIPS \$5.99

## **-POSTRES-**

JERICALLA TAPATÍA \$7.99  
(El postre tradicional de Jalisco  
a base de leche, canela y azúcar,  
con azúcar recién quemada)

PASTEL DE ELOTE \$8.99  
(Acompañado de coulis  
de fresas y helado)

CHOCOLATE CAKE \$8.99  
(Pastel de chocolate semiamargo  
callebaut, con un elado de fresa  
y coulis de frutos y paprika)

## **-BEBIDAS-**

REFRESCOS \$2.50

CERVEZA DE BARRIL \$3.50

CERVEZA EMBOTELLADA \$3.50





LA FONDA  
RESTAURANT & BAR

NAILS & Spa

RESTAURANT & BAR

cricket

100% Antojitos MEXICAN

NOW OPEN

Rick Gamboa  
Sep 24, 2015 4:15:38 PM





## MEMORANDUM

---

**DATE:** TUESDAY, OCTOBER 06, 2015  
**TO:** MAYOR AND CITY COMMISSION  
**FROM:** PLANNING STAFF

**SUBJECT:** Re-zoning Request: From Agricultural and/or Open Space District (A-O) to a Limited Industrial District (L-I): As the East 20 acres of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at 201 East Anaya Road.

---

### REZONING CHECKLIST / GOALS:

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

### DESCRIPTION OF PROPERTY:

Steve Spoor, P.E., representing Zuko Family Limited Partnership, is requesting a change of zone from an Agricultural and/or Open Space District (A-O) to a Limited Industrial District (L-I). The property is located at 201 East Anaya Road. The property consists of 1 lot and is legally described as being the East 20 acres of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts East Anaya Road, an 80 foot Major Collector which runs East and West with a posted speed limit of 30 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). The property is designated for industrial and commercial use in the Land Use Plan. The owner of the property is requesting a change of zone to Limited Industrial District (L-I) in order to build warehouses on said property.

The adjacent zonings are Single-Family Residential District (R-1) to the North, Agricultural and/or Open Space District (A-O) to the East and South and General Business District (C), Heavy Commercial District (H-C), Agricultural and/or Open Space District (A-O), and Limited Industrial District (L-I) to the West.

The Limited Industrial District (L-I) is intended for industrial parks and larger cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered. Limited Industrial uses are suitable for high-visibility locations such as along the freeway, or within a reasonable distance of residential areas.

Forty-one (41) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received one call for information only.

Planning staff is recommending **approval** of the request to re-zone to Limited Industrial District (L-I) as the property meets area requirements and has adequate ingress and egress. If approved, applicant must subdivide and comply with all City Ordinances and City Department requirements.

## **PLANNING AND ZONING COMMISSION:**

The Planning and Zoning Commission voted unanimously to approve the rezoning request from Agricultural and/or Open Space District (A-O) to a Limited Industrial District (L-I) subject to staff's recommendations.

## **CITY COMMISSION OPTIONS:**

1. **Approve the rezoning request;**
2. **Table the item for:**
  - a) **consideration by the full board;**
  - b) **additional information;**
  - c) **additional time for applicant and adjacent property owners to meet;**
3. **Disapprove the request.**



**REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN**

Steve Spoor, P.E., representing Zuko Family Limited Partnership, Owners  
 APPLICANT

Agricultural and/or Open Space District (A-O)  
 CURRENT ZONE

201 East Anaya Road  
 ADDRESS

Limited Industrial District (L-I)  
 PROPOSED ZONE

		YES	NO
1	Does the property meet the minimum area requirements for the proposed zone?	X	
2	Does the property have adequate ingress and egress?	X	
3	Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4	Is the property located along a major thoroughfare?	X	
5	Will the property have adequate parking for the proposed use?	X	
6	Will the property have adequate landscaping as per City Ordinance?	X	
7	Will the zone change increase the volume of traffic?	X	
8	Will a buffer be required?	X	
9	Is the proposed change in line with the Future Land Use Plan?	X	

STAFF RECOMMENDATIONS:

**Approval**

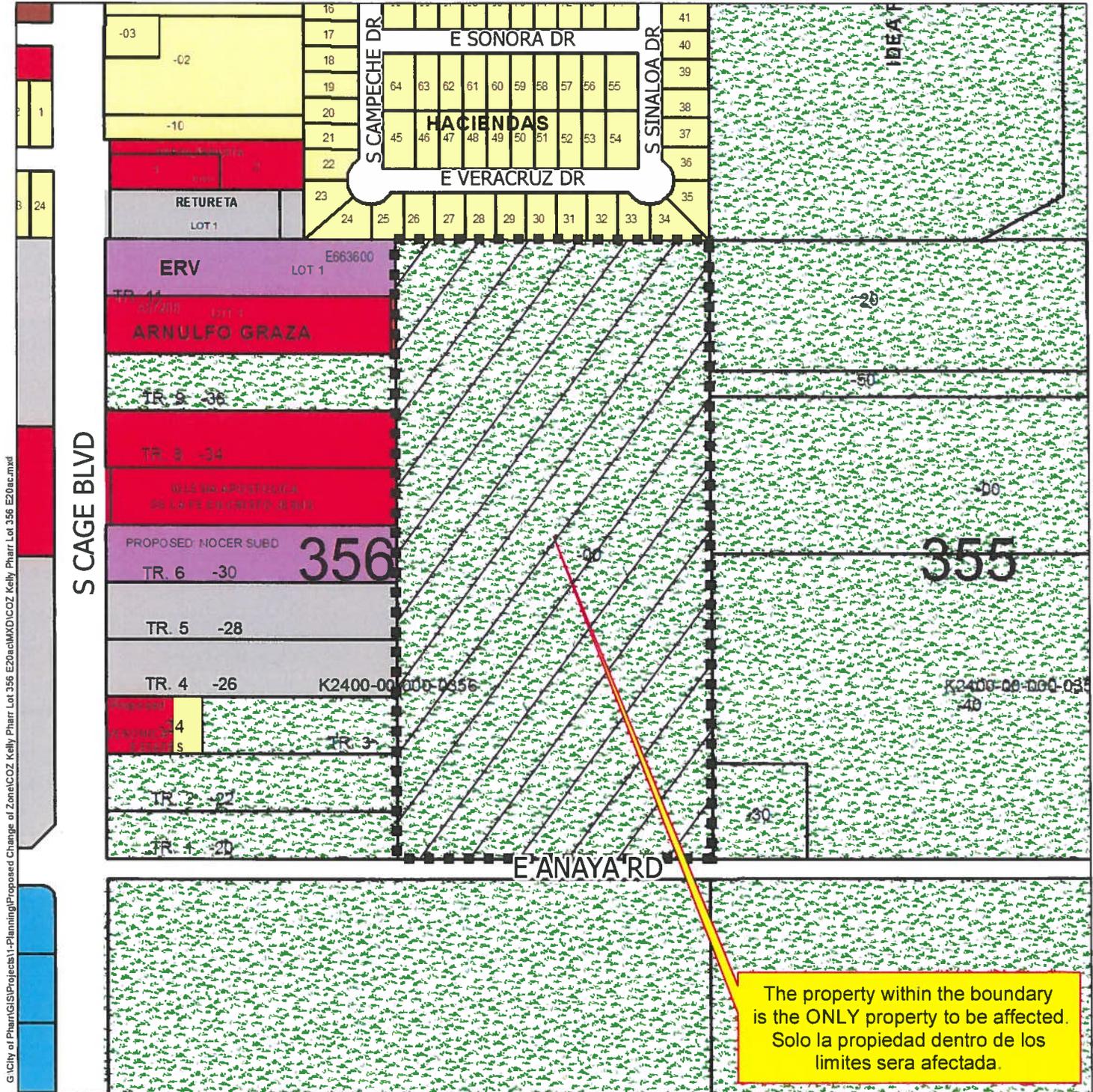
The property meets area requirements and has adequate ingress and egress.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Heriberto Martirnez, Planner I  
 PREPARED BY

September 23, 2015  
 DATE

Proposed Change of Zone  
 Kelly Pharr Lot 356 E20ac  
 Zuko Family Ltd. Partnership



The property within the boundary is the ONLY property to be affected.  
 Solo la propiedad dentro de los limites sera afectada.

- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |

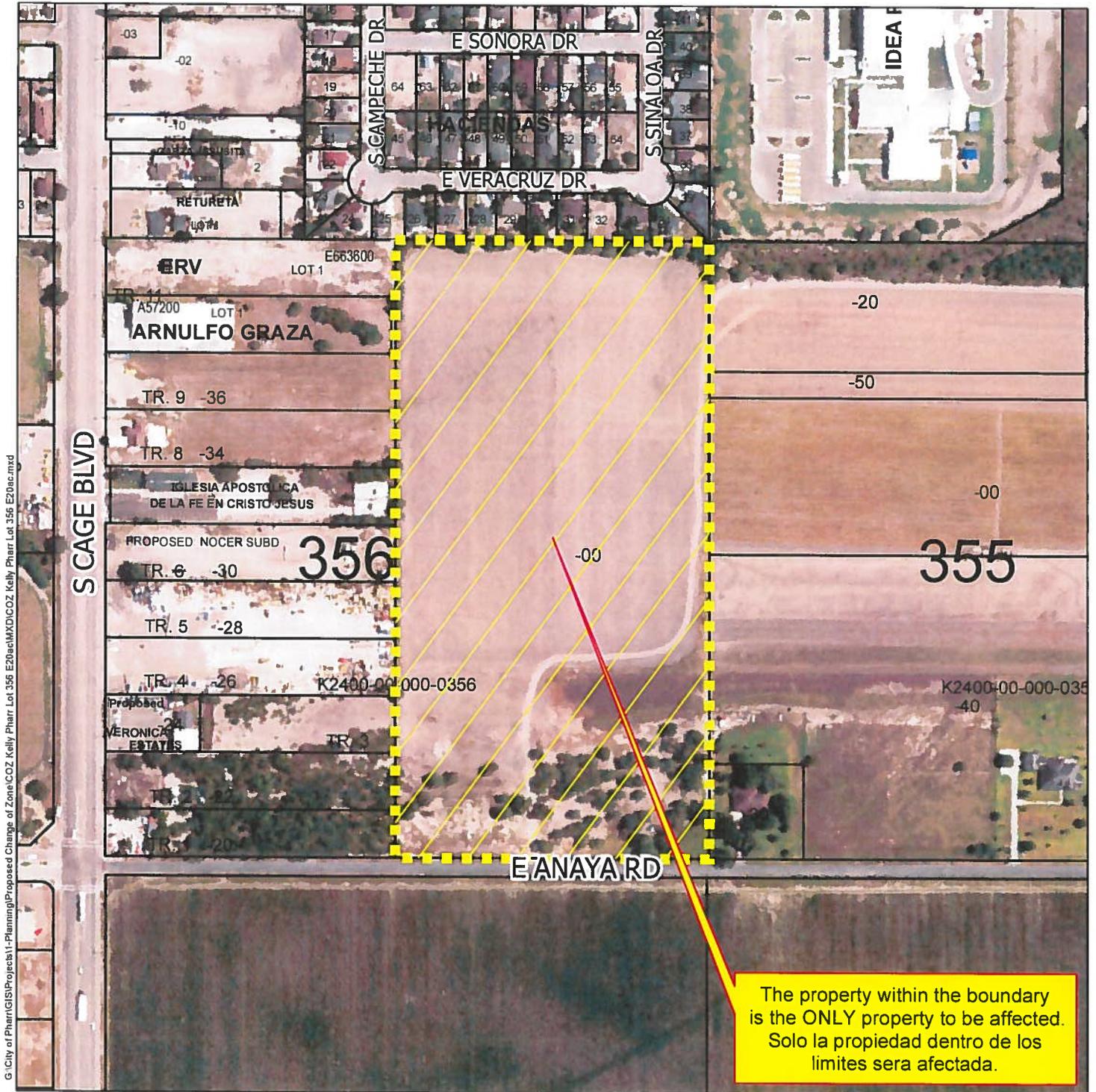
City of Pharr, Texas  
 Engineering Department  
 956.702.5355

Scale: 1 inch = 300 feet



Date: 9/2/2015

Proposed Change of Zone  
 Kelly Pharr Lot 356 E20ac  
 Zuko Family Ltd. Partnership



The property within the boundary is the ONLY property to be affected.  
 Solo la propiedad dentro de los limites sera afectada.

- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |

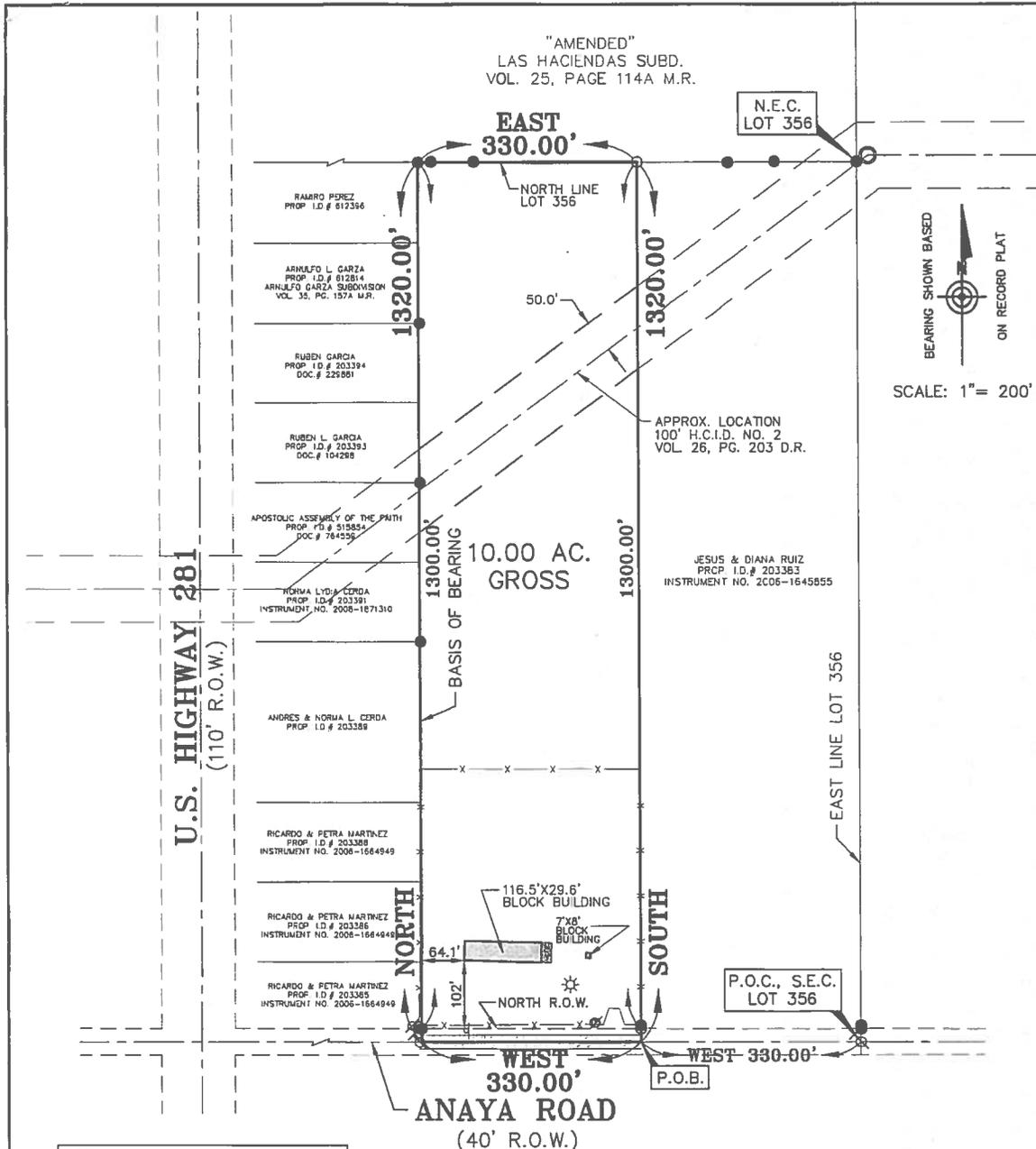
City of Pharr, Texas  
 Engineering Department  
 956.702.5355

Scale: 1 inch = 300 feet



Date: 9/2/2015

"AMENDED"  
LAS HACIENDAS SUBD.  
VOL. 25, PAGE 114A M.R.



BEARING SHOWN BASED  
ON RECORD PLAT  
SCALE: 1" = 200'

**NOTE:**  
A METES AND BOUNDS DESCRIPTION  
OF EVEN SURVEY DATE HERE WITH  
ACCOMPANIES THIS PLAT.

THE FOLLOWING ITEMS FROM SCHEDULE "B"  
10.b) RIGHT-OF-WAY EASEMENT GRANTED TO MILITARY HIGHWAY  
WATER SUPPLY CORPORATION BY INSTRUMENT DATED SEPTEMBER  
7, 1979 RECORDED IN VOLUME 1659, PAGE 418, DEED RECORDS  
OF HIDALGO COUNTY, TEXAS. (BLANKET)  
10.d) EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN FAVOR  
OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 2. (BLANKET)

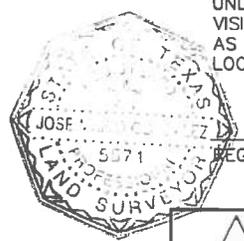
LEGEND	
○	SET 1/2 INCH IRON ROD
●	FD. 1/2 INCH IRON ROD
-x-	FENCE
⊙	FD. 3/4 INCH IRON PIPE
⊗	FD. 60-D NAIL
⊛	LIGHT POLE
⊙	POWER POLE
⊙	TEL. PEDESTAL
⊙	TRAFFIC SIGN
⊙	IRR. STAND PIPE

**PLAT SHOWING**

A 10.00 ACRE TRACT OF LAND, MORE OR  
LESS, OUT OF LOT 356, KELLY-PHARR  
SUBDIVISION, HIDALGO COUNTY, TEXAS, AS  
PER MAP OR PLAT THEREOF RECORDED IN  
VOLUME 3, PAGES 133 AND 134, DEED  
RECORDS OF HIDALGO COUNTY, TEXAS.

I, JOSE MARIO GONZALEZ, CERTIFY THAT THE ABOVE  
PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND  
UNDER MY SUPERVISION AND THAT THERE ARE NO  
VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT  
AS SHOWN AND THAT ALL CORNERS HAVE BEEN  
LOCATED AS INDICATED.

GF#: 3148740  
SURVEYED: MARCH 25, 2013  
REQUESTED BY: ANDRES J. ZUNIGA



*[Signature]* 03-2013  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5571

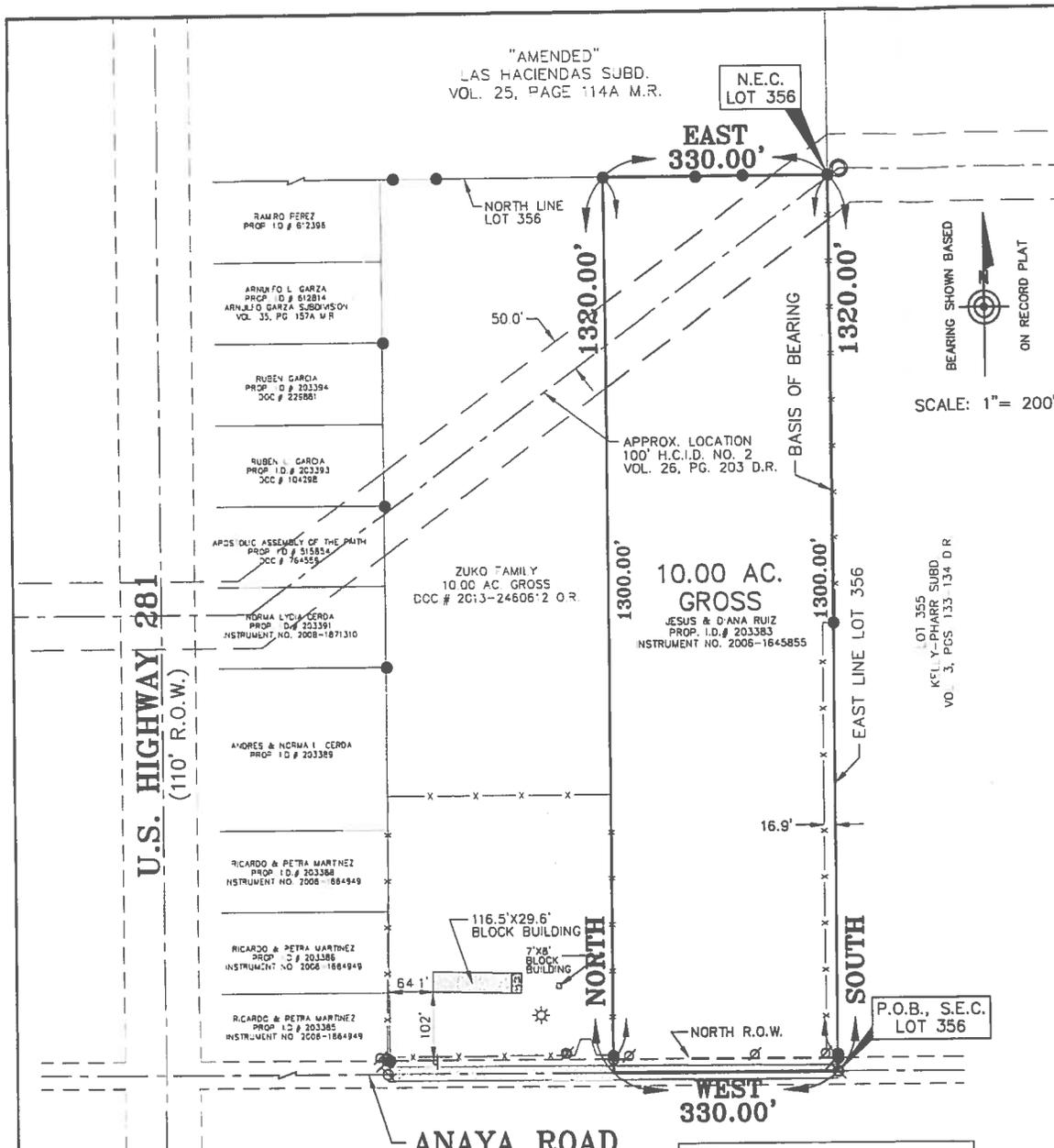
FLOOD ZONE DESIGNATION: ZONE "B"  
COMMUNITY-PANEL NUMBER: 480334 0500 B  
MAP REVISED: JANUARY 2, 1981

JOB NUMBER  
**RIO 13 101**

● COPYRIGHT 2013 RIO DELTA SURVEYING THIS SURVEY WAS PROVIDED IN  
MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMES  
HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO  
COPY THIS SURVEY.



**RIO DELTA SURVEYING**  
24593 FM 88, MONTE ALTO, TX 78538  
(TEL) 956-380-5154 (FAX) 956-380-5156  
EMAIL: MARIO@RIODELTASURVEYING.COM



"AMENDED"  
LAS HACIENDAS SUBD.  
VOL. 25, PAGE 114A M.R.

N.E.C.  
LOT 356

EAST  
330.00'

NORTH LINE  
LOT 356

RAMIRO FEREZ  
PROP. I.D. # 612396

ARNALDO L. GARZA  
PROP. I.D. # 612814  
ARNALDO GARZA SUBDIVISION  
VOL. 35, PG. 137A M.R.

RUBEN GARCA  
PROP. I.D. # 203394  
DOC # 225861

RUBEN L. GARCA  
PROP. I.D. # 203393  
DOC # 104292

APCS OLC ASSEMBLY OF THE PATH  
PROP. I.D. # 515184  
DOC # 764553

NORMA LYDIA CERDA  
PROP. I.D. # 203388  
INSTRUMENT NO. 2008-1871310

ANDRES & NORMA L. CERDA  
PROP. I.D. # 203389

RICARDO & PETRA MARTINEZ  
PROP. I.D. # 203388  
INSTRUMENT NO. 2008-1864949

RICARDO & PETRA MARTINEZ  
PROP. I.D. # 203385  
INSTRUMENT NO. 2006-1864949

RICARDO & PETRA MARTINEZ  
PROP. I.D. # 203385  
INSTRUMENT NO. 2006-1864949

ZUKO FAMILY  
10.00 AC. GROSS  
DOC # 2013-24606'2 O.R.

10.00 AC.  
GROSS

JESUS & D'ANA RUIZ  
PROP. I.D. # 203383  
INSTRUMENT NO. 2008-1845855



SCALE: 1" = 200'

LOT 355  
KELLY-PHARR SUBD.  
VOL. 3, PGS. 133-134 D.R.

U.S. HIGHWAY 281  
(110' R.O.W.)

ANAYA ROAD  
(40' R.O.W.)

WEST  
330.00'

P.O.B., S.E.C.  
LOT 356

**THE FOLLOWING ITEMS FROM SCHEDULE "B"**

10.(b) RIGHT-OF-WAY EASEMENT GRANTED TO MILITARY HIGHWAY WATER SUPPLY CORPORATION BY INSTRUMENT DATED SEPTEMBER 7, 1979 RECORDED IN VOLUME 1659, PAGE 418, DEED RECORDS OF HIDALGO COUNTY, TEXAS. (BLANKET)

10.(c) EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 2. (BLANKET)

10.(h) ALL RIGHTS, TITLES AND INTERESTS IN AND TO ALL PORTIONS OF THE SUBJECT PROPERTY LYING WITHIN A DRAINAGE DITCH, DRAINAGE PIPE, DRAINAGE LINE, A CANAL, LATERAL OR AN IRRIGATION LINE AS MAY BE CLAIMED IN FCC BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 AND AS RESERVED OR CONVEYED BY INSTRUMENTS RECORDED IN VOLUME 74, PAGE 235 AND VOLUME 26, PAGE 203, BOTH IN THE DEED RECORDS OF HIDALGO COUNTY, TEXAS. (PLOTTED)

**PLAT SHOWING**

A 10.00 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 356, KELLY-PHARR SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGES 133 AND 134, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

GF#: 3152446

SURVEYED: FEBRUARY 12, 2014

REQUESTED BY: ZUKO FAMILY LIMITED PARTNERSHIP

FLOOD ZONE DESIGNATION: ZONE "B"  
COMMUNITY-PANEL NUMBER: 480334 0500 B  
MAP REVISED: JANUARY 2, 1981

JOB NUMBER  
RIO 14 066

© COPYRIGHT 2014 RIO DELTA SURVEYING THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMES HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.

NOTE:  
A METES AND BOUNDS DESCRIPTION OF EVEN SURVEY DATE HERE WITH ACCOMPANIES THIS PLAT.

**LEGEND**

- - SET 1/2 INCH IRON ROD
- - FD. 1/2 INCH IRON ROD
- x- - FENCE
- ⊙ - FD. 3/4 INCH IRON PIPE
- ⊗ - FD. 60-D NAIL
- ⊛ - LIGHT POLE
- ⊙ - POWER POLE
- ⊙ - TEL. PEDESTAL
- ⊙ - TRAFFIC SIGN
- ⊙ - IRR. STAND PIPE

I, JOSE MARIO GONZALEZ, CERTIFY THAT THE ABOVE PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN AND THAT ALL CORNERS HAVE BEEN LOCATED AS INDICATED.

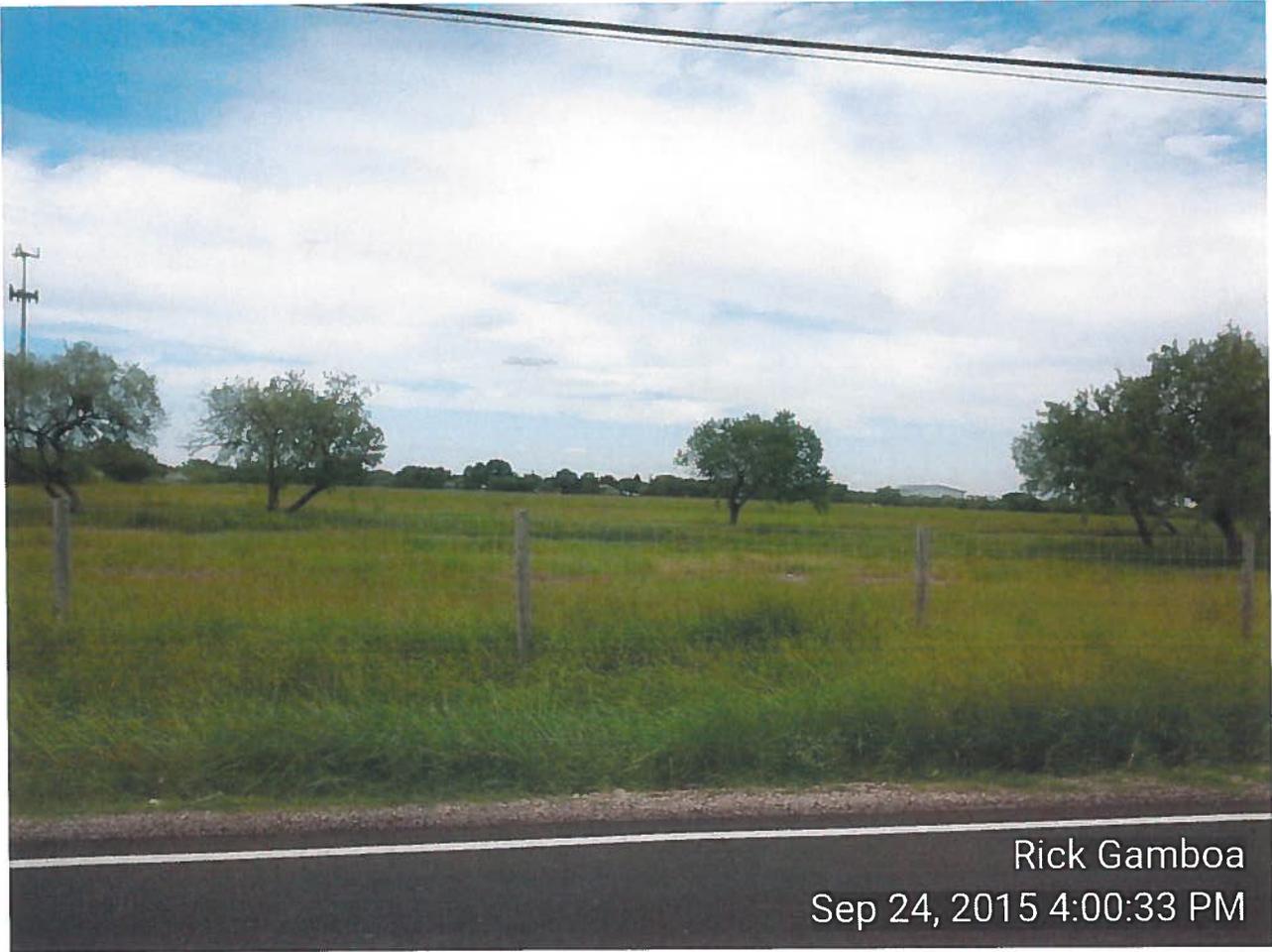


REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5571



**RIO DELTA SURVEYING**

24593 FM 88, MONTE ALTO, TX 78538  
(TEL) 956-380-5154 (FAX) 956-380-5156  
EMAIL: MARIO@RIODELTASURVEYING.COM  
T.B.P.L.S. FIRM#: 10013900



Rick Gamboa  
Sep 24, 2015 4:00:33 PM



Rick Gamboa  
Sep 24, 2015 4:00:43 PM



Rick Gamboa

Sep 24, 2015 4:00:55 PM



## MEMORANDUM

---

**DATE:** TUESDAY, OCTOBER 06, 2015  
**TO:** MAYOR AND CITY COMMISSION  
**FROM:** PLANNING STAFF

**SUBJECT:** MASTER PLAN OF RK COMMERCIAL SUBDIVISION  
FILE NO. SUB#150715

---

### GENERAL INFORMATION:

**APPLICANT:** Sam Engineering & Surveying, Inc., representing Matthew Camp, AIV, is requesting preliminary plat approval of the proposed Master Plan of RK Commercial Subdivision.

**LEGAL DESCRIPTION:** The property is legally described as being a 10.90 acre tract of land being 9.64 acres out of Lot 17, and 1.26 acres out of Lots 18, Block 161, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property is located between the 1200 and 1600 Block of Interstate 2 E (US HWY 83).

**ZONING:** The property is currently zoned General Business District (C). The adjacent zones are Single-Family Residential District (R-1) to the North, City Limits to the East, General Business District (C) and Heavy Commercial (H-C) to the South, and General Business District (C) to the West. The property is designated for commercial use in the Land Use Plan.

**PROPERTY PROPOSED USE:** 24 Hour Hospital/Undecided.

**VARIANCES:** None requested.

**RECOMMENDATIONS:** Planning staff recommends preliminary plat approval of the proposed Master Plan of RK Commercial Subdivision subject to the following conditions:

**STREETS, PAVING AND R.O.W.:**

- 1) Label the size of the R.O.W. on N. Veterans Blvd.
- 2) Need documentation on who the owner is for the H.C.I.D. No. 2 40' R.O.W.
- 3) Add 30' corner clips at Kumquat and Juniper.

**EASEMENTS:**

- 1) No comments.

**SIDEWALK:  
ADA:**

- 1) No comments.

**FIRE PROTECTION:**

- 1) See attach comments.

**WATER:**

- 1) See attach comments.

**SEWER:**

- 1) See attach comments.

**DRAINAGE:**

- 1) See Attach comments.

**OTHER:**

- 1) Reference only City of Pharr Benchmark.
- 2) Will need a notarized letter from the owner giving authorization to Mr. Camp to subdivide.
- 3) Remove "Amos" from the Mayor's name.
- 4) Bold the Phases.
- 5) On the south east corner of Lot 3 verify the words that are almost visible or remove them.
- 6) Verify the Meets and Bound.
- 7) Identify the 1.49' on the south west corner of Lot 3.
- 8) Plat note # 6 needs to be revised to include all streets.
- 9) Plat note # 7 should be on an as per lot basis.
- 10) Provide Survey Closure.
- 11) Verify if it is Block 160 or 161.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission voted unanimously to approve the preliminary plat approval of the proposed Master Plan of RK Commercial Subdivision.



**Pharr Fire – Rescue**

118 S Cage Blvd., 3rd Floor  
Pharr, Texas 78577

Tel: (956) 402-4400 Fax: (956) 475-3433



Subdivision:           RK COMMERCIAL PROPERTIES (Staff Review)            
Reviewed By:           Felipe Pedraza, Asst. Fire Marshal           Date:           September 15, 2015          

1. All designed waterlines shall be a minimum of eight (8) Inch for residential and (8-12) inch in diameter for commercial and (12) Inch of better for industrial areas unless fire flow requires larger lines for commercial areas.
2. All designed waterlines shall be looped on a fire department approved water main (Utilities shall be in place including fire hydrants before any construction above the slab)
3. Fire hydrants shall be installed at a maximum of 300 ft. intervals in any mercantile district and every 600 ft. in residential areas and shall be FACTORY YELLOW from the manufacture with a minimum arrangement being so as to have a hydrant available for distribution to hose to any portion of any building in the premises at distances not exceeding 400 ft., but in no case shall hose lengths be greater than 400 ft. The distance shall be measured on a roadway surface meeting the fire department access requirements of 503.1 International Fire Code 2012.
4. All premises where building or portions of buildings are located more than 300 ft. from a main street fire hydrant: system shall be provided with approved on site fire hydrant (s) and water mains capable of supplying adequate fire flow approved by the Fire Officials.
5. Street names shall be provided prior to or during the per-construction meeting for review and approval. No street name shall be duplicated within the City of Pharr and its E.T.J. Alignment of new streets with existing streets shall take precedence over new street name assignment.
6. During construction, when combustibles are brought on the site in such quantities as deemed hazardous by the Fire Official, access roads and a suitable temporary supply of water acceptable to the Fire Department shall be provided and maintained.
7. \$25.00 fee for each Blue Marker to be affixed on payment by city to indicate location of a fire hydrant. FIRE HYDRANT COLOR MUST BE FACTORY YELLOW FROM MANUFACTURE PRIOR TO INSTALLATION.
8. Contractor testing waterlines shall dispose highly chlorinated water. (Hazardous Waste)
9. Fire lanes must be painted RED: 15 feet on each side of hydrant (total 30 feet)\* with lettering at least 3 inches tall. FIRE LANE – TOW AWAY ZONE.
10. Any new subdivision with GATED COMMUNITY SECURITY SYSTEMS must obtain the Fire Department approved Knox Box Switch –Rapid Entry System made by the Knox Company (Phone Number 800-552-5669 Fax 949-623-4647) or an approved fire department siren system before subdivision's final approval of 503.5 in International Fire Code 2012: Where security gates are installed, with a minimum of 20 ft. (6096 mm) clearance shall be maintained and a means for emergency operations shall be provided and maintained as approved by the fire official.
11. Designed fire lanes or roads deemed necessary for fire department access by the fire official shall be established and maintained in an operable condition. 503.1 International Fire Code 2012: All weather surfaces must be in place before any final inspection is approved. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to the department apparatus by a way of an approved fire apparatus access road with an asphalt, or concrete driving surface capable of supporting the imposed load of fire apparatus weighting at least 75,000 pounds.
12. Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
13. All water valves (hydrant and main) shall be open prior to final inspection.
14. Public utilities personnel must be advised prior to opening and closing existing water valves.
15. Must meet City of Pharr Standards Manual Construction & Development Guide.

**Additional Comments:**

- All access roads and entrances shall have a minimum width of 26 feet wide face to face
- Provide 1 fire hydrant near the east side entrance
-



801 E. SAM HOUSTON  
PHARR, TEXAS 78577  
PHONE: 956-402-4300  
FAX: 956-783-4688

David Garza  
Public Utilities Director

Alfredo Ortiz  
Assistant Director



# PRELIMINARY PLAT REVIEW FOR:

## *RK Commercial Properties Subdivision #150819*

\*\*\*\*\*

COMMENTS:      Initials: \_\_\_\_\_      September 17, 2015

Approve       Approve with Condition       Disapprove

\*\*\*\*\*

**PLAT:**      OK

- WATER:**
1. 12" inline valve
  2. 10' EU exclusive to City of Pharr
  3. 10' UE for fire hydrant on lot 2 eastside
  4. Verify 12" water line on Veterans

- SEWER:**
1. 10' UE exclusive to City of Pharr
  2. Need Manhole center of lot #2
  3. Install Manhole at end of lot #1

# Public Works Department Subdivision Comments

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Subdivision: \_RK Commercial Properties/Master Plan\_ Date: 09/15/2015\_

Plat review: \_9/17/2015\_

**Commercial / Public 10.90\_ acres**

## Plat Notes:

- o R.O.W. shall be dedicated in compliance with Hidalgo County and City of Pharr Thoroughfare Plan
- o Corner Clips shall be provided at a min. of 15' for residential, 25' for alleys and minor street intersections. And 30' for industrial and commercial zoned lots.
- o All drainage easements (if any), shall be private within property and will be a minimum of 10'.
- o Erosion and Sediment control during construction shall be in accordance with the current Texas Pollution Discharge Elimination System (TPDES) NOTE ON PLAT.
- o Developer to construct fence for lots abutting/fronting any drain ditch regardless of who owns it. NOTE ON PLAT
- o All service drives shall have a min. of 25' (Easement or ROW)
- o 5' sidewalk with A.D.A. ramps and landings will be required to be constructed during construction permit phase along any street, unless otherwise stated. NOTE ON PLAT
- o Storm Water Pollution Prevention Plan (SWPPP) will be required on any subdivision that is 1 acre or more. (will also be needed with lot less than 1 acre but part of a larger common plan of development)
- o Approved Drainage Report needed
- o Additional R.O.W. needed if Thoroughfare Plan calls for it or city requires.
- o Owners are to maintain detention areas. NOTE ON PLAT
- o Detention areas that are 3 feet or deeper will require perimeter fence. NOTE ON PLAT
- o Identify and label entire R.O.W. on plat
- o If Private roads: "Owners will maintain and repair private streets and alleys."
- o Owners to maintain R.O.W. and perimeter of subdivision. NOTE ON PLAT

## **General Notes:**

### *Storm water*

- o All drainage construction shall comply with City of Pharr Standards
- o A drainage report is required for all new subdivisions and/or development(s).
- o Storm water detention measures shall be designed and constructed for all new subdivisions and or developments.
- o Storm water drainage requirements not considered through the subdivision process will be addressed at building permit stage.
- o Minimum storm water drainpipe diameter shall be 18"
- o Storm water drain inlets shall be spaced out to be every 500' (Maximum)
- o Maximum of two 6' width Valley Gutter crossings may be used at intersections and shall not be placed on at through streets.
- o SWPPP will be required before Notice to Proceed (NTP) is issued, SWPPP will be submitted at Pre Construction Meeting.
- o Notice of Intent (NOI/CNOI) will be needed before NTP is issued.
- o All proposed public storm water system shall be constructed within the street R.O.W. only
- o Discharge Permit from Hidalgo County Drainage District will be required if discharging to Drainage District canal.
- o City of Pharr Discharge permit required if discharging to city owned storm drain system.
- o Discharge Permit from Texas Department of Transportation via UIR system is required if connecting to TxDOT System.
- o Culverts shall be RCP w/Safety End Treatment (S.E.T.)
- o Any detention control/structure shall bleed out via an 8" diameter pipe into an existing storm water system (public or private)
- o Storm water runoff shall be detained to the Maximum Extent Practicable within subject property by means of detention structures (swales, ditches, ponds, etc.) before draining into a new or existing system.
- o Drainage calculations shall be on a "per lot basis" if multiple lots.

### *Streets*

- o All streets, street design and paving widths shall comply with City of Pharr standards
- o Except Arterials, streets without an intersection or turnaround shall not exceed 1,300 feet in length.
- o Cul-de-sacs shall not exceed 600' from entrance road
- o Gates shall be 40 feet from R.O.W. (Gated subdivisions shall be considered private subdivisions); Gates or fences for gated communities will not be permitted on street R.O.W.

## Public Works Department Subdivision Comments

---

- o Curb and gutter shall meet City of Pharr Standards
- o Minimum Pavement thickness requirements per City of Pharr Standards
- o Soils with PI greater than 15 shall require lime.
- o All paving tests/core samples shall be done by City of Pharr approved lab.
- o All concrete curb/gutter shall meet 300 psi by the 28<sup>th</sup> day.
- o NO street cuts allowed unless approved through permit by Public Works Department. (\$25.00 permit fee)
- o State owned R.O.W. (street) that will require street/curb cut must obtain permit form TxDot office.
- o New Subdivisions/developments will pave 1/3 street R.O.W.

### *Sidewalks*

- o 5' Sidewalks shall be required for all subdivisions and/or developments. (R.O.W. and internal streets)
- o All sidewalk ramps shall be A.D.A compliant and painted Hazard Red.
- o Sidewalks shall not have any obstructions.

### *Additional Comments:*

- o Consider all aforementioned standards manual guidelines/notes
- o Need S.W.P.P.P.
- o Need N.O.I.
- o *Add note:* no lots to have access to frontage road. Must use Access drive to N. Kumquat, N. Juniper or Veterans
- o Need 30' corner clips at N. Juniper and N. Kumquat Streets as well as on entrance(s) off Veterans Blvd.
- o Proposed alley will need to be built out (will be used by tenants/suppliers). Additional ROW needed.
- o Construct N. Juniper Street (34' B-B). Streets to include drainage system
- o Plans need to reflect 5' sidewalk; shows 4'. (Change)
- o Need cross section of driveway approach on Veterans Blvd.
- o Drive approach(es) to be built per city standards.
- o Driveway entrance to be 40' from intersection.
- o "Catch" curb and gutter detail
- o If only one road is constructed, it needs to be N. Juniper St.
- o Drainage Report: missing figure on net acres. (1<sup>st</sup> paragraph)
- o No easements within drainage areas.
- o Drainage report to be turned in at building permit stage.
- o Pay for and install regulatory signs within subdivision.
- o Need street light layout.



(956) 402-4221

**Preliminary Staff Review Subdivision Comments**

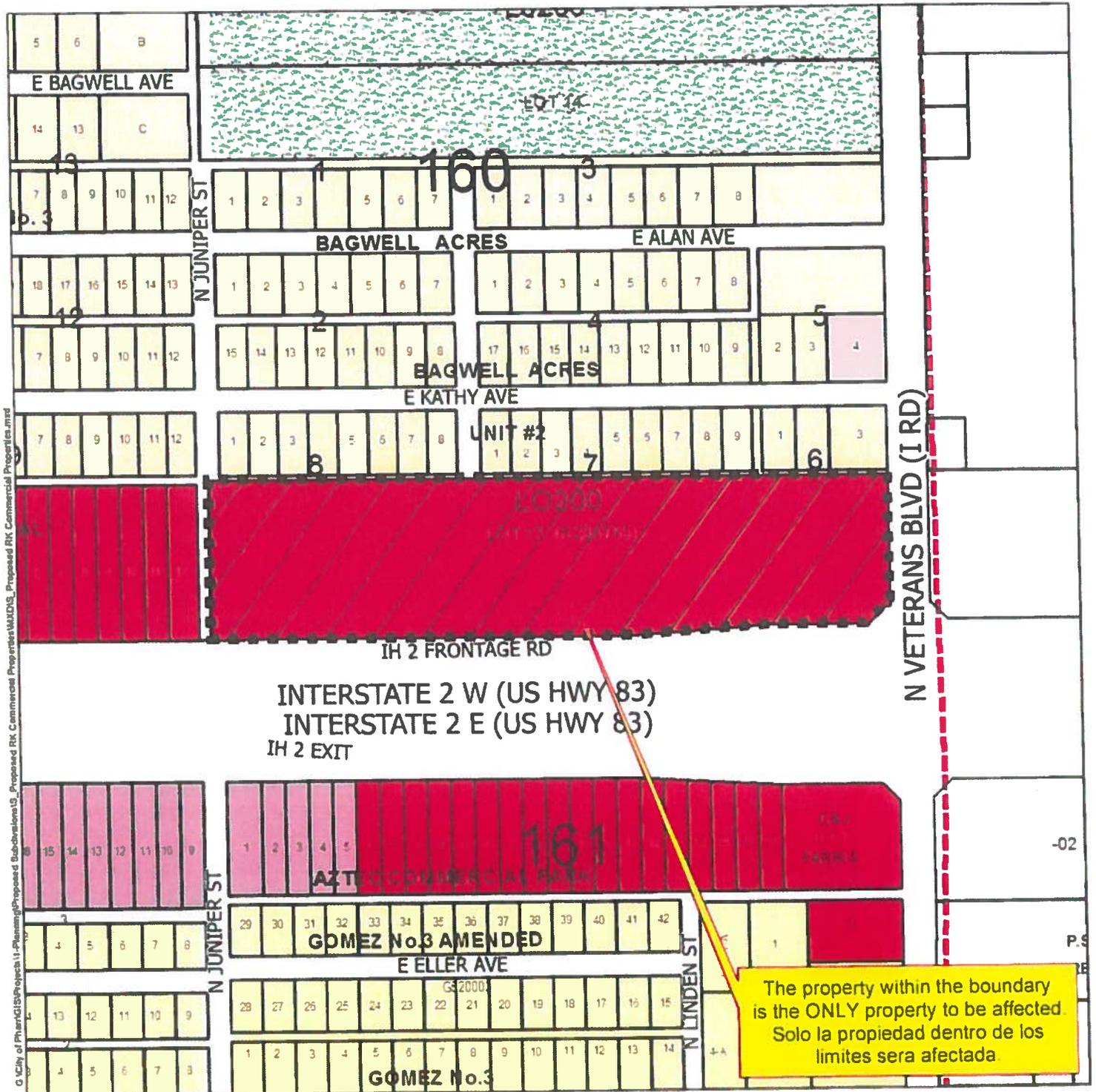
Date: September 15, 2015

Subdivision: Master Plan RK Commercial Properties Subdivision

Item No.	Comments
1	General Note #2. Incorrect description of BM #47 location.
2	General Note #6. Sidewalk to extend along W. Frontage Rd, both sides of Kumquat St., and along Juniper St.
3	General Note #7. Detention to be on per lot basis.
5	Provide 30' corner clips at Kumquat and Juniper
6	Provide survey closure.
7	HCID No. 2 40' ROW to remain? 20' dedication?
9	Retreat alley lines from Lot 2.
11	Label distance between existing and proposed corner clip.
13	South line lot 17 and its description are not readable.
14	Verify, block 160 or 161.
15	Metes and Bounds, 3 <sup>rd</sup> Paragraph. Include street name.
16	Metes and Bounds. Address the 1.48' overlap.
17	Mayor's name
18	Utility. Label exiting MHs on south east corner.
20	Utility. No driveway entrance from alley to Lot 1.
21	Utility. Label "L" shaped objects.
22	Utility. Provide elevations for WL-IRR crossing.
23	Street/Light. 5' concrete sidewalks, not 4'.
24	Street/Light. 34' B-B.
25	Street/Light. Place billboard in easement?

Subdivision: Phase 1

<b>Item No.</b>	<b>Comments</b>
1	Most comments from Master Plan apply.
2	Metes and Bounds. Last paragraph has incorrect description.

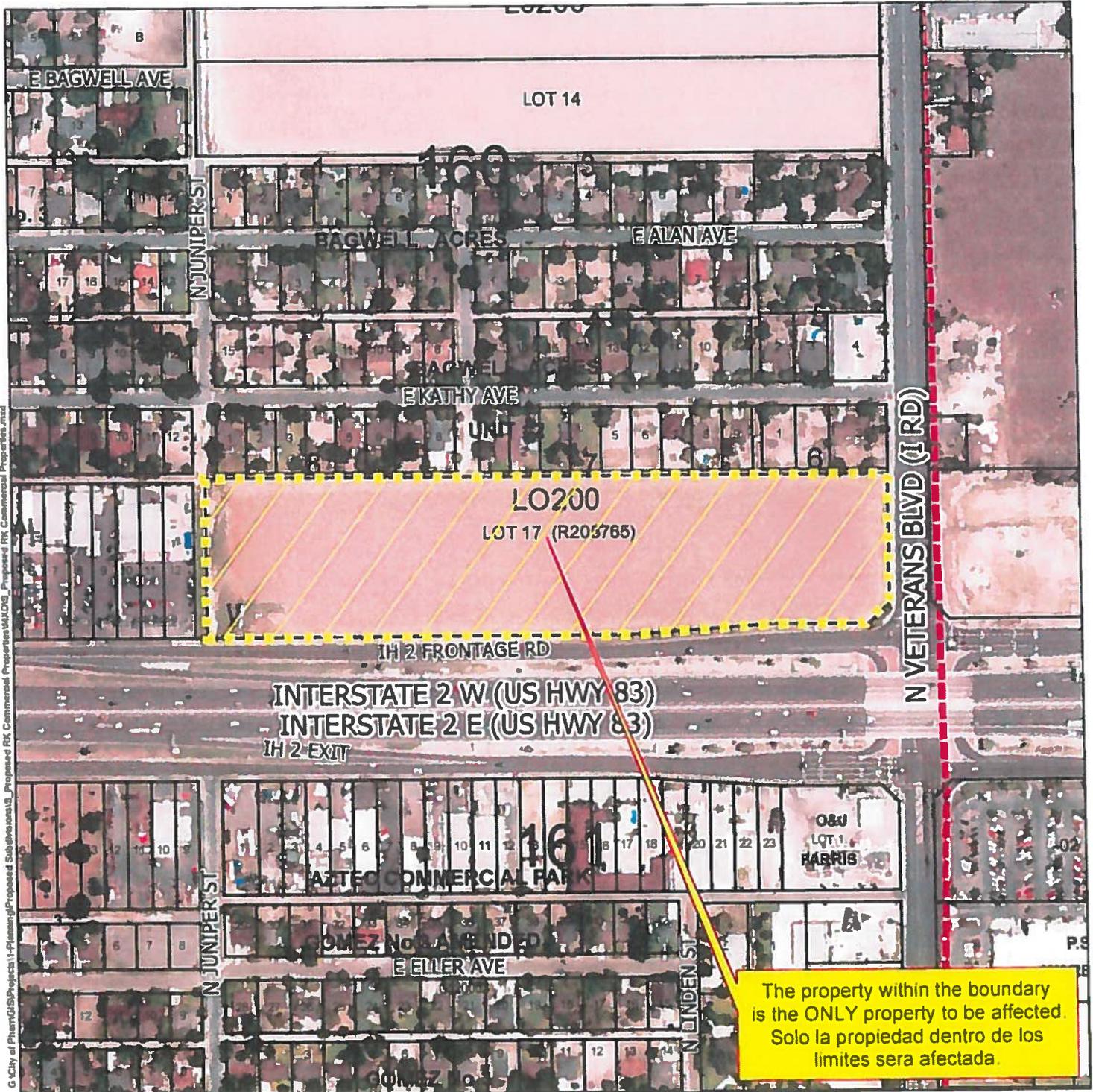


G:\City of Pharr\GIS\Projects\11-Phase\Proposed Subdivisions\13\_Proposed RK Commercial Properties\MJD\AS\_Proposed RK Commercial Properties.mxd

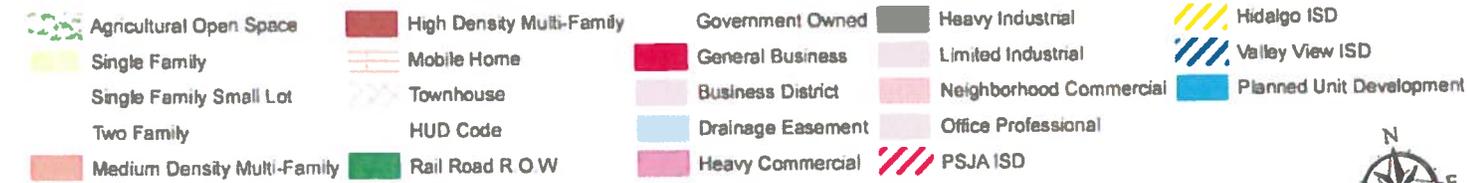
- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R O W           | Heavy Commercial  | PSJA ISD                |                          |

Scale: 1 inch = 300 feet





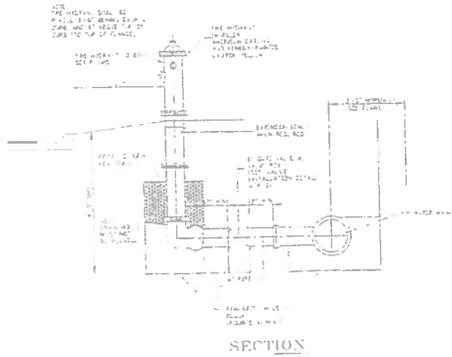
The property within the boundary is the ONLY property to be affected.  
 Solo la propiedad dentro de los limites sera afectada.



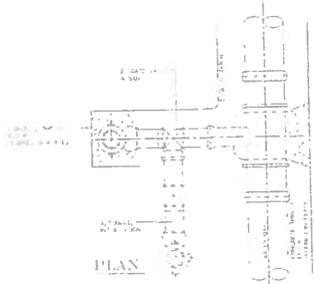




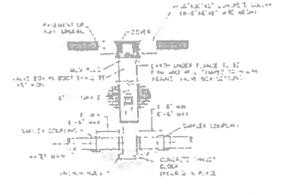




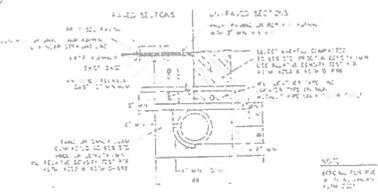
SECTION



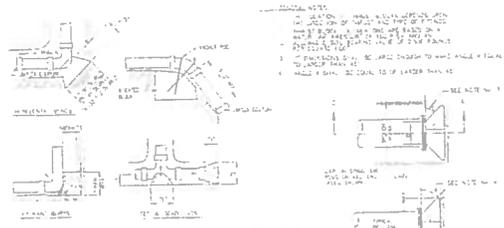
FIRE HYDRANT INSTALLATION DETAIL



VALVE & VALVE BOX INSTALLATION



TRENCH BEDDING CIRCULAR PIPE (WATER)



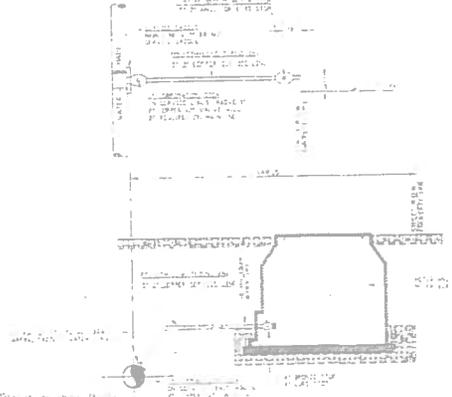
THRUST BLOCK DETAILS

HORIZONTAL BLOCKING TABLE

PIPE SIZE (IN)	MIN. BLOCKING LENGTH (IN)	MIN. BLOCKING WIDTH (IN)	MIN. BLOCKING HEIGHT (IN)
1/2	12	12	12
3/4	12	12	12
1	12	12	12
1 1/4	12	12	12
1 1/2	12	12	12
2	12	12	12
2 1/2	12	12	12
3	12	12	12
3 1/2	12	12	12
4	12	12	12
4 1/2	12	12	12
5	12	12	12
5 1/2	12	12	12
6	12	12	12
6 1/2	12	12	12
7	12	12	12
7 1/2	12	12	12
8	12	12	12
8 1/2	12	12	12
9	12	12	12
9 1/2	12	12	12
10	12	12	12
10 1/2	12	12	12
11	12	12	12
11 1/2	12	12	12
12	12	12	12

TABLE OF CASING SIZES

PIPE SIZE (IN)	CASING SIZE (IN)
1/2	1 1/2
3/4	1 3/4
1	2
1 1/4	2 1/2
1 1/2	3
2	3 1/2
2 1/2	4
3	4 1/2
3 1/2	5
4	5 1/2
4 1/2	6
5	6 1/2
5 1/2	7
6	7 1/2
6 1/2	8
7	8 1/2
7 1/2	9
8	9 1/2
8 1/2	10
9	10 1/2
9 1/2	11
10	11 1/2
10 1/2	12
11	12 1/2
11 1/2	13
12	13 1/2



SINGLE WATER SERVICE CONNECTION

**SAMES**  
**Engineering & Surveying, Inc.**  
 200 S. CHASE BLVD.  
 PHARR, TEXAS 75777  
 TEL: (409) 782-8800  
 FAX: (409) 782-8803

**RK COMMERCIAL  
 PROPERTIES  
 SUBDIVISION  
 PHARR, TEXAS**

REVISIONS

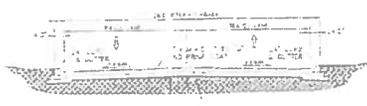
NO.	DESCRIPTION	DATE

STATE OF TEXAS  
 COUNTY OF MATAGORDA  
 ENGINEERING  
 REGISTERED PROFESSIONAL ENGINEER  
 F-13222  
 8/21/2015  
 SAMES INC.  
 TEXAS REGISTERED  
 ENGINEERING FIRM  
 F-13222

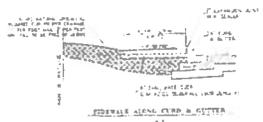
PROJECT: SUBD 15 001  
 DATE: AUGUST 2015  
 SCALE: NONE  
 SHEET NAME:

TYPICAL CIVIL DETAILS  
 SHEET NUMBER  
 04

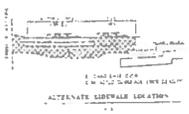




STREET CROSS SECTION  
7.15



SIDEWALK CURB & GUTTER



ALTERNATE SIDEWALK LOCATION  
7.17

TYPICAL SIDEWALK LOCATIONS



DETAIL  
7.12



SPILL CURB & GUTTER



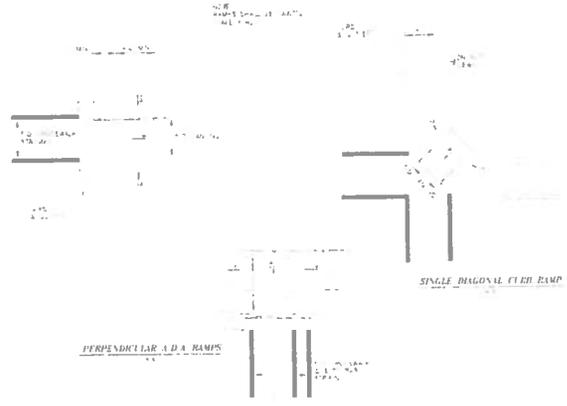
C&G CURB & GUTTER

NOTES

1. ALL PREFORMED EXPANSION JOINTS SHALL BE PLACED ON 70' CENTER TO CENTER. JOINTS SHALL BE PLACED AT 10' SPACING CONTINUED FROM EACH EXPANSION JOINT.
2. TAPE COAT SHALL BE APPLIED TO ANY SURFACE OF CONCRETE IN CONTACT WITH ASPHALT.
3. 3000 PSI CONCRETE SHALL BE USED.

LANE-BUOY CURB & GUTTER

CURB & GUTTER DETAILS  
7.13



SINGLE DIAGONAL CURB RAMP

PERPENDICULAR A.D.A. RAMP

**SAMES**

SAMES Engineering & Surveying, Inc.  
200 S. FACE BLVD.  
PHARR, TEXAS 78577  
TEL: (361) 782-8800  
FAX: (361) 782-8803

**RK COMMERCIAL  
PROPERTIES  
SUBDIVISION  
PHARR, TEXAS**

REVISIONS

NO.	DESCRIPTION	DATE



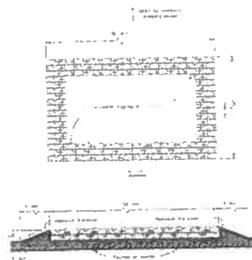
James S. Sames  
8/2/11

SAMES, INC.  
IS AN EQUAL OPPORTUNITY  
EMPLOYER

PROJ NO: SUB 15 007  
DATE: AUGUST 2011  
SCALE: AS SHOWN

SHEET NAME  
TYPICAL  
CIVIL DETAILS

SHEET NUMBER  
06



**CONCRETE EXIT 10**  
 NTS

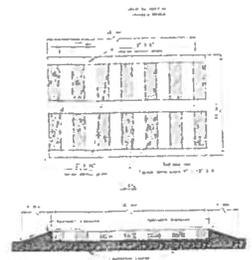
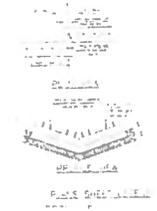
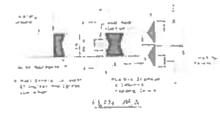
1. The concrete shall be cast in place and finished to a smooth surface.

2. The reinforcement shall be placed in accordance with the drawings and specifications.

3. The concrete shall be cured for a minimum of 7 days.

4. The concrete shall be tested for strength in accordance with the specifications.

5. The concrete shall be protected from damage during construction.



**CONSTRUCTION EXITS EC(3)-93**  
 NTS

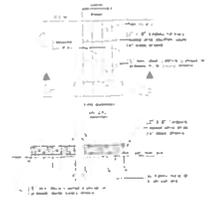
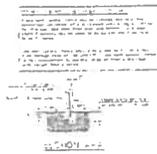
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**CONCRETE EXIT 10**  
 NTS

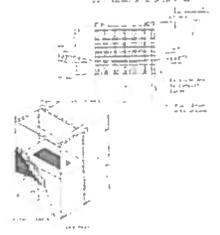
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THIS DRAWING IS FOR THE USE OF THE ARCHITECT AND ENGINEER ONLY.

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3. The concrete shall be cured for a minimum of 7 days.

4. The concrete shall be tested for strength in accordance with the specifications.

5. The concrete shall be protected from damage during construction.

**GENERAL NOTES**

1. The contractor shall be responsible for obtaining all necessary permits and approvals.

2. The contractor shall be responsible for the safety of all workers and the public.

3. The contractor shall be responsible for the quality of all workmanship.

4. The contractor shall be responsible for the protection of all existing utilities and structures.

5. The contractor shall be responsible for the removal and disposal of all construction waste.

**SAMES**  
 SAM Engineering & Surveying, Inc.  
 200 S. CASE BLVD  
 PHARR, TEXAS 77577  
 TEL (936) 762-8000  
 FAX (936) 762-8003

**RK COMMERCIAL  
 PROPERTIES  
 SUBDIVISION  
 PHARR, TEXAS**

REVISION	DATE	BY	DESCRIPTION



*SAMES INC*  
 SAMES INC  
 TEXAS REGISTERED  
 ENGINEERING FIRM  
 (11883)

PROJ. NO. 140115-017  
 SHEET NO. AUGUST 2015  
 NOISE  
 SHEET NAME

TYPICAL  
 CIVIL DETAILS  
 SHEET NUMBER  
 07

**ORDINANCE NO. O-2015-**

**AN ORDINANCE DESIGNATING AN AREA KNOWN AS THE CITY OF PHARR – TIF REINVESTMENT ZONE NUMBER 2; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING FOR AN EFFECTIVE DATE AND TERMINATION DATE FOR THE ZONE; NAMING OF THE ZONE CITY OF PHARR – TIF REINVESTMENT ZONE #1 AND ESTABLISHING A TAX INCREMENT FUND; CUMULATIVE CLAUSE; REPEALER; PROPER NOTICE AND MEETING**

**WHEREAS**, the Board of Commissioners (the "Commission") of the City of Pharr, Texas (the "City") desires to support development and redevelopment in the City to be funded in whole or in part, through the creation of a Tax Increment Reinvestment Zone (the "Zone"), as hereinafter more specifically defined and named and with boundaries as hereinafter provided, pursuant to the provisions of the Tax Increment Financing Act 9 the "Act"), Texas Tax Code, Chapter 311; and

**WHEREAS**, the City indicated its intent to create the Zone through Resolution 2015-08 passed by the Commission on February 3, 2015; and

**WHEREAS**, the Project will support financing of costs associated with the construction of public improvements related to several possible development and redevelopment projects, which may include but not limited to: Street Construction and Reconstruction, Right of Way Acquisition, Municipal Facilities Acquisition/Construction, Parks, Storm Water Pollution Prevention Drainage & Drainage Detention, Wastewater Treatment Plant Expansion, Waste Water Collection System Improvements, Water Rights Acquisition, Utility Relocation and Open Space Improvements; and

**WHEREAS**, pursuant to the Act, the City may designate a geographical area within the City; and

**WHEREAS**, Pursuant to the Act, the City has directed that a Preliminary Reinvestment Zone Financing Plan (the "Preliminary Plan") be prepared for the proposed Zone; and

**WHEREAS**, A Public Hearing was held on February 17, 2015 at 5:00 p.m. in the Pharr Commission Chambers, City Hall to consider the creation of a Tax Increment Reinvestment Zone for the Project and its respective benefits to the City and to property in the proposed Zone; and

**WHEREAS**, it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

***NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:***

**SECTION 1. DESIGNATING THE AREA AS A REINVESTMENT ZONE.** The area described in Section 2 below and more commonly referred to as the "Pharr Redevelopment Project" and officially assigned the name as designated in Section 5 below (which reinvestment zone so described, named and designated is hereinafter referred to as the "Zone", is hereby designated as a Tax Increment Reinvestment Zone.

**SECTION 2. DESCRIPTION OF THE BOUNDARIES OF THE REINVESTMENT ZONE.** Attached hereto as Exhibits "A" and "B", which is incorporated herein by reference for all purposes is a legal description and Hidalgo County Appraisal District Map with the parcels, area and boundaries of the Zone outlined in purple incorporated in the Zone.

**SECTION 3. CREATION AND COMPOSITION OF A BOARD OF DIRECTORS FOR THE ZONE.**

- (a) There is hereby created a Board of Directors (the "Board") for the Zone, with all the rights powers and duties as provided by the Act to such Boards or by action of the Commission. Pursuant to Section 311.009(a) of the Texas Tax Code the Board shall consist of not less than five (5) and not more than fifteen (15) members.
- (b) Each taxing unit other than the City that levies taxes on real property in the Zone may appoint one member to the Board. A unit may waive its right to appoint a member. The City shall appoint the remaining directors of which, one shall be nominated by the Commissioners Court of Hidalgo County.
- (c) Appointees shall be for a two (2) year term. Upon expiration of their respective terms of office, replacements to the Board shall be appointed. Vacancies on the Board shall be filled by the respective taxing unit making such appointments for the remainder of the unexpired term.

**SECTION 4. EFFECTIVE DATE AND TERMINATION DATE OF THE ZONE.** The Zone shall take effect on or about \_\_\_\_\_ and continue till its termination date of \_\_\_\_\_ unless otherwise terminated earlier as a result of payment in full of all project costs, tax increment bonds, if any, including interest on said bonds as authorized or permitted by law.

**SECTION 5. ASSIGNING A NAME TO THE ZONE.** The Tax Increment Reinvestment Zone created hereby is assigned the name of "REINVESTMENT ZONE NUMBER 2, CITY OF PHARR, TEXAS."

**SECTION 6. TAX INCREMENT BASE.** The tax increment base for the Zone is the total assessed value of all real property taxable by the City and located in the Zone, determined as of January 1, 2015, the year in which the Zone was designated as a Reinvestment Zone (the "Tax Increment Base").

**SECTION 7. ESTABLISHMENT OF A TAX INCREMENT FUND.** There is hereby created and established in the depository bank of the City, a fund to be called the "CITY OF PHARR – TIF REINVESTMENT ZONE #2, TEXAS TAX INCREMENT FUND" (HEREIN CALLED THE "Tax Increment Fund"). Money in the Tax Increment Fund, from whatever source, may be disbursed from the Tax Increment Fund, invested, and paid as permitted by the Act or by any agreements entered into pursuant to the Act, or as otherwise authorized by law.

**SECTION 8. FINDINGS.**

- (a) The City hereby finds and declares that (a) improvements in the Zone will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the City; and (b) the Zone meets the requirements of 311.005 of the Act, being that the Zone area:
1. Is predominantly open, and because of obsolete platting, deterioration of structures or site improvements;
  2. Creation of the zone is necessary to further the public health, safety, morals, and welfare as a result of substandard conditions, inadequate streets, unsanitary conditions, and the predominant existence of undeveloped area; and
  3. Other factors that may substantially impair the growth of the city.
- (b) The City of Pharr, pursuant to the Act, further finds and declares that:
1. the proposed zone is a geographical area located wholly within the City limits or extraterritorial jurisdiction of Pharr;
  2. less than fifty percent (50%) of the property in the proposed Zone is used for residential purposes, as the term "residential" is defined in Section 311.006(d) of the Act;
  3. the total appraised value of the taxable real property in the proposed Zone or in existing reinvestment zones, if any, does not exceed fifty per cent (50%) of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;

4. the proposed Zone does not contain more than fifty percent (50%) of the total appraised value of real property taxable by Hidalgo County, the PSJA ISD, the Hidalgo ISD and the Valley View ISD, and
5. development or redevelopment within the boundaries of the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

**SECTION 9. DESIGNATION OF A SECTION 311.005(a) ZONE.** The Zone is designated pursuant to Section 311.005(a) of the Act.

**SECTION 10. SEVERABILITY.** If any of the provisions of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstance shall nevertheless be valid, as if such invalid provisions had never appeared herein, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

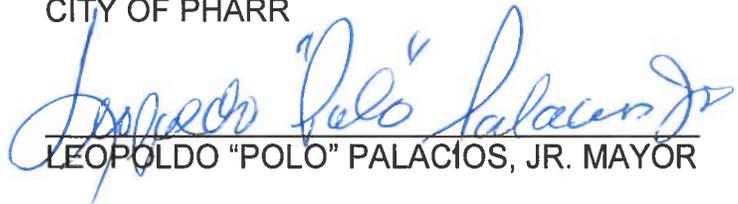
**SECTION 11. CUMULATIVE CLAUSE; REPEALING CLAUSE.** The ordinance shall be cumulative of all ordinances dealing with the same subject and any provision in conflict with this ordinance is hereby repealed and the provisions of this Ordinance supersedes. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

**SECTION 12:PROPER NOTICE AND MEETING.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 13. EFFECTIVE DATE.** The Zone shall take effect immediately upon passage of this Ordinance after having been read on three (3) separate meetings. Publication may also be in caption form as allowed under Section 9 of the Pharr City Charter.

PASSED AND APPROVED ON THE FIRST MEETING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 17<sup>th</sup> day of February, 2015.

CITY OF PHARR

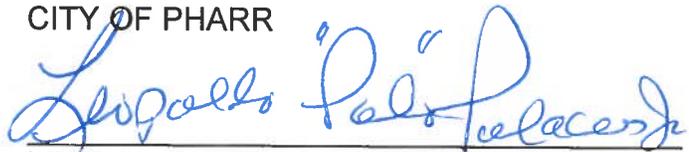
  
LEOPOLDO "POLO" PALACIOS, JR. MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 3<sup>rd</sup> day of March, 2015.

CITY OF PHARR



LEOPOLDO "POLO" PALACIOS, JR. MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE THIRD READING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the \_\_\_ day of \_\_\_\_\_, 2015.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK



## MEMORANDUM

DATE: September 28, 2015  
TO: Juan G Guerra, City Manager  
FROM: Ruben Villescas, Police Chief

OK  
w

**SUBJECT:**

Request for Consideration and Action if any on Ordinance Amending Article IX, Firefighters and Police Officers Civil Service Ordinance by increasing the Authorized Positions in the Classification of Police Patrol Officer from 104 to 110

ISSUE

In May 2015 the police department submitted a grant application to the Department of Justice Community Oriented Policing (COPS) Office seeking 3-year funding for (6) police officers. The (6) officers were the most allowable by the application guidelines. On September 21, 2015 this department received an award letter from the COP's office giving notice of a \$723,000.00 award to fund 75% of (6) officers salary for (3) years.

For Year #1 the City of Pharr match will be approximately \$100,000.00 and will be funded with seized assets funds. Accepting the grant for the (6) additional police officers requires the amending of the City of Pharr Firefighters and Police Officers Civil Service Ordinance by increasing the authorized positions from (104) to (110).

ALTERNATIVE

The only alternative would be not to accept the grant award. Upon accepting the award the number of authorized positions by ordinance would have to be increased to meet grant requirements and future grant audit.

STAFF RECOMMENDATION

I recommend that approval be given for the amending of the Firefighters and Police Officers Civil Service Ordinance by increasing the Authorized Positions of Patrol officer from 104 to 110.

REC'D _____
CC _____
<b>SEP 29 2015</b>
CITY OF PHARR CITY CLERK'S OFFICE PHARR, TEXAS

**ORDINANCE NO. O-2015-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PHARR BY PROVIDING FOR AMENDMENT TO ARTICLE IX, FIREFIGHTERS AND POLICE OFFICERS CIVIL SERVICE ORDINANCE BY INCREASING THE AUTHORIZED POSITIONS IN THE CLASSIFICATION OF POLICE PATROL DECLARING ALL ORDINANCES IN CONFLICT NULL AND VOID; DECLARING AN EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE**

**BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS:**

**SECTION 1:** It is necessary for the Board of Commission to make amendments to Article IX, Firefighters and Police Officers Civil Service Ordinance.

**SECTION 2:** The Code of Ordinance of the City of Pharr, Article IX, Firefighters and Police Officers Civil Service Ordinance is hereby amended to provide for an increase in the authorized strength in the classification of Police Patrol from One-Hundred Four (104) to One-Hundred Ten (110) in the Police Department.

**SECTION 3:** Provisions of any Ordinances in conflict herewith are hereby expressly released.

**SECTION 4:** The importance of the subject matter of this Ordinance creates an emergency and an imperative public necessity requiring the suspension of the provision of the City Charter of the City of Pharr, Texas, that no Ordinance shall be passed until it has been read on three (3) separate days, and such provision of the City Charter is hereby suspended and said requirement dispensed with by a majority vote of all of the members of the Board of Commissioners.

**SECTION 5:** This Ordinance shall take effect immediately after approval.

CONSIDERED, PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 6<sup>th</sup> day of October, 2015, at which a quorum was present and which was held in accordance with Chapter 51, Local Government Code, V.T.C.S.

CITY OF PHARR

\_\_\_\_\_  
**Ambrosio Hernandez, Mayor**

ATTEST:

\_\_\_\_\_  
Hilda Pedraza, City Clerk

## MEMORANDUM

DATE: OCTOBER 06, 2015

TO: MAYOR AND CITY COMMISSION 

FROM: JUAN GUERRA, CITY MANAGER

THROUGH: MELANIE CANO, INTERIM DIRECTOR OF DEVELOPMENT SERVICES

SUBJECT: NEW CHAPTER TO THE CODE OF ORDINANCES – USE AND/OR DISPOSITION OF CITY PROPERTY

### ISSUE

To adopt a new chapter to the Code of Ordinance, setting out policies and procedures for the use, and/or disposition of City Property, including interjurisdictional agreements, permits, leases, licenses and sales, to the Code of Ordinances of the City of Pharr, Texas.

### FINANCIAL CONSIDERATION

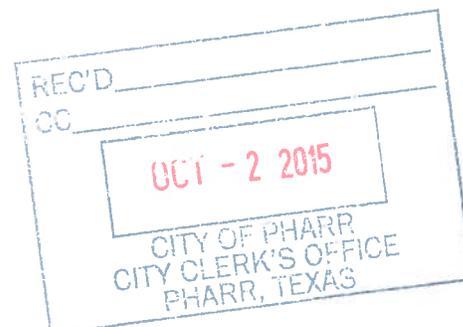
There will be no cost to adopt the ordinance.

### STAFF RECOMMENDATION

In order to remain consistent with the City's continuing efforts to establish timely, efficient and effective policies and procedures for the delivery of services to our customers, Planning Staff is recommending approval to adopt the ordinance to establish policies and procedures for the use and/or disposition of City Property.

Please feel free to contact me should the need arise, I am at extension 1408.

THANK YOU



**ADOPTING A NEW CHAPTER TO THE CODE OF ORDINANCES, SETTING OUT POLICIES AND/OR PROCEDURES FOR THE ACQUISITION, USE, AND/OR DISPOSITION OF CITY PROPERTY, INCLUDING INTRAJURISDICTIONAL AGREEMENTS, PERMITS, LEASES, LICENSES, AND SALES, TO THE CODE OF ORDINANCES OF THE CITY OF PHARR, TEXAS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; DECLARING A PENALTY; PROVIDING FOR APPEALS; PROVIDING FOR APPLICABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF, REPEALING ALL ORDINANCES IN CONFLICT; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.**

*NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:*

**SECTION 1:** A new chapter is added to the Code of Ordinances of the City of Pharr, Texas to read as follows:

## **Chapter 139: Acquisition, Disposition and/or Use of City Property**

### **Sec. 139.1- PURPOSE AND INTENT**

In order to remain consistent with the City's continuing efforts to establish timely, efficient and effective policies and procedures for the delivery of services to our customers, the City Commission finds that the creation of a new chapter of the City Code of Ordinances is necessary to consolidate various policies and procedures regarding the acquisition, disposition and/or use of City property.

### **Sec. 139.2 – DEFINITIONS**

Words and phrases used in this chapter shall have the meanings set forth in this section, unless the context of their usage clearly requires otherwise. Words and phrases which are not defined in this chapter but are defined in other ordinances of the City of Pharr shall be given the meanings set forth in those ordinances. When not inconsistent with the context, words used in the present tense shall include the singular number (and vice versa); words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). Headings and captions are for reference purposes only. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise.

- a) *City* means the City of Pharr.
- b) *Director* means the director of the department responsible for the applicable duty.
- c) *Easement* means an interest in land granted to the City, to the public generally, and/or to a private utility corporation.
- d) *Encroachment* means any intrusion from abutting property of other use of City property, whether the property is owned in fee or by easement.

- e) *Petition* means a written request by a petitioner for rights or privileges under this chapter. The petition may be in letter form and must state the location of the affected City property and the purpose and cope of the proposed use of disposition of the property. The petition must further include such attachments and additional detail as the director may require.
- f) *Petitioner* is defined as a person requesting a right or privilege governed by this chapter. More than one person may combine as one Petitioner, but in such case each is jointly and severally liable for the obligations of the Petitioner.
- g) *Public right-of-way* means a strip of land used or intended to be used, wholly or in part, as a public street, alley, crosswalk, sidewalk, or drainage way.
- h) *Real property* as used in this chapter REAL PROPERTY includes any estate in land, easement, right-of-way, lease, permit, license, franchise, future interest, building, fixture, or any other right, title or interest in land or a building.

**Sec. 139.3 – GENERAL PROVISIONS**

- a) No one may use public right of way or other property in which the City has an interest, whether in fee or easement, in a way governed by this chapter without acquiring rights under the relevant section. Nothing in this chapter requires a permit, license, or other document for approved utilities to place their facilities in streets or alleys as otherwise permitted by law.
- b) The director may require recording of instruments granting rights under this chapter in the official public records of real property of the county in which the land is situated. Petitioner must pay the recording cost.
- c) Except as otherwise provided, the director may approve a permit or right of entry under this chapter without City Commission action, if the permitted use conforms to the requirements of this chapter.
- d) Except as expressly stated, this chapter delegates no authority to approve, without council action, leases and license agreements, including renewals or continuations of rights previously granted. But nothing in this chapter impairs a delegation of authority outside this chapter.
- e) Any city officer to whom authority is delegated under this chapter may further delegate that authority to subordinates. Authority to bind the city to a contract may not be delegated below the level of director, unless the delegation is made personally by the city manager or a deputy or assistant city manager. All delegations must be in writing. Despite the foregoing, the city official to whom authority is delegated to for real estate may sign and bind the City to all contracts, deeds, and other documents and instruments part of real estate transactions approved by the City Commission.
- f) Permits have indefinite duration but may be terminated by action from the City Commission. Licenses have stated durations and are terminable according to their terms. Neither permits nor licenses under this chapter create property rights and no permittee or licensee is entitled to compensation for revocation of a permit or license.
- g) Permits will require the following information:
  - 1) The City's identity as the issuing authority.

- 2) The identity and address of the permittee.
  - 3) Legal description of the affected city property.
  - 4) The scope of the activity permitted.
  - 5) The permit's indefinite duration. (subject to revocation by City Commission)
  - 6) Any special conditions imposed under this ordinance. Permits should be signed on behalf of both the city and the petitioner and be in recordable form. Permits should be recorded in the real property records of the county in which the affected city property is located, but failure to record does not destroy the effectiveness of the permit.
- h) All construction, excavation, and placement of utilities or other facilities in public rights of way are subject to regulation.
- i) When fair market value must be determined under this chapter, the following procedures apply:
- 1) A director may require that an independent professional appraisal be obtained. In such case, Petitioner and the city will jointly select the appraiser, if they can agree. If they cannot promptly agree, city selects the appraiser. In either case, petitioner pays for the appraisal. Except as otherwise stated in a particular section, independent professional appraisals are of the fee simple interest in the affected land, according to its highest and best use.
  - 2) Alternatively, and at the Director's discretion, a director may rely on an average of the per-square-foot Hidalgo County Appraisal District assessed values in the vicinity. If the property being appraised does not have structures, the director should consider only land values, not improvement values.
  - 3) In choosing between requiring a formal appraisal or relying on Hidalgo County Appraisal-assessed values, a director should balance whether the probable cost of a formal appraisal is disproportionate to the probable value of the affected property. Streets and alleys must be appraised not as rights of way but as if marketable fee-simple title to the affected property were in private hands and the city were condemning it for public-street right of way. Appraisals of other strips or oddly configured parcels must not be discounted because of the parcels' configuration.
- j) Those receiving rights under this chapter must maintain in good repair and condition any structure, covering, or appurtenance and the accompanying structural members extending over, under, or on public rights of way, drainage, or utility easement, or other city property. No such encroachment may be a nuisance or safety hazard. All such encroachments, when built, rebuilt or renovated, must conform to the latest edition of the International Building Code and other applicable building discipline codes.
- k) Grants of rights under this chapter do not relieve petitioner of any other approvals, permits, or licenses that may otherwise be required. **No permit or license should be granted under this chapter if the proposed use would impair the primary public purpose of the affected public right of way or other city property.**
- l) Property owners may install and maintain mail boxes conforming to U.S. Postal Service regulations without a permit or license under this chapter.

- m) Before granting or recommending granting rights under this chapter, the director may canvass some or all interested city departments. Utility agencies, and registered neighborhood associations in the vicinity. Based on comments received, the director may impose or recommend imposing special terms as a condition of approval.
- n) Responsibilities allocated to a city department in this chapter automatically succeed to any other department into which the designated department or the relevant function of that department is reorganized.
- o) Nothing in this chapter impairs an otherwise applicable requirement to seek Planning commission approval of a proposed transaction.
- p) All fees under this chapter are waived for governmental petitioners other than utility agencies. This waiver does not include requirements to pay out of pocket costs or to pay fair market value for property interests.
- q) Except as may be specifically provided as to a particular fee, all processing and other fees and charges provided for in this chapter are non-refundable.
- v) No petitioner seeking rights under this chapter may acquire such rights before paying in full for all previously obtained rights of the type governed by this chapter.

**Sec. 139.4 – PERMITS FOR ENCROACHMENTS ONTO PUBLIC STREETS OR ALLEYS**

- a) Petitions for permits for encroaching on public streets or alleys from owners of abutting property or from property-owner associations must be submitted to the Director of Development Services or designee. If an encroachment is specifically addressed in another section of this chapter, the more specific section applies. Petitions must be accompanied by a non-refundable \$100 processing fee. The director may process permit requests and may establish terms and procedures to carry out this section. Permits under this section may be issued by the Director without specific City Commission action to an owner of property abutting the right of way to be encroached upon or to a property-owners association seeking to improve nearby right of way.
- b) Encroachments eligible for permits under this section are not limited to structures primarily on private property abutting public streets or alleys, but also include irrigation systems, non-commercial signs and structures for such signs and other independent installations otherwise meeting the requirements of this section.
- c) Any encroachment obstructing public passage, utility facilities, or other uses of public streets or alleys is ineligible for a permit.
- d) The property owner or petitioner shall make an application on a form prescribed by the city and such application shall provide a list of requirements for submittal.
- e) Petitioner must pay a \$500 permit fee when the permit is issued. The director may specify the construction, characteristics, quality, and placement of abutting encroachments. The City Commission may require relocation or removal of an encroachment when appropriate for the efficient use of the public street or alley. The Petitioner is responsible for the cost associated with relocation or removal.

- f) The only mechanism to provide rights more secure than a permit that the city can provide is a release of the city's right-of-way interest in the affected property. A petitioner insisting on rights more secure than a permit may request the director to present to City Commission a request for such a release upon paying a \$100 application fee. The director should present the request to the City Commission without recommendation and inform the Commission that the request is a deviation from normal processes. If the City Commission approves the release, the petitioner must also pay the city an amount equal to what the city would pay if the affected property were in private hands and the city were acquiring it for street right-of-way.

## **Sec. 139.5 – GOVERNMENTAL-RELATED AGREEMENTS**

- a) Petitions for inter-jurisdictional agreements or joint use agreements by other governmental jurisdictions and by utility agencies for use of City property must be submitted to the director of Development Services.
- b) The director may process requests and may establish forms and procedures to carry out this section and may charge a \$500 processing fee. Agreements under this section must either be recorded or described in a recorded memorandum of agreement. For the purposes of this section, City property does not include utility easements or public streets or alleys that utility agencies are otherwise permitted by law to use. Nothing in this section alters the rights and obligations of the City and utility agencies in street repairs, widenings, and rerouting.
- c) As to City fee-owned property, if petitioners pay fair market value for the property used, their rights are governed by this section. All petitioners other than utility agencies must apply under this section. Rights granted under this section have indefinite duration and may be terminated only by action of City Commission.
- d) The area subject to the agreement must be as wide as reasonably necessary to maintain the line, but not less than 10 feet. For the purpose of calculating the payment due, the minimum licensed area is 600 square feet.
- e) As to City fee-owned property, if petitioners do not pay fair market value for the property used, their rights are governed by this section. Rights granted under this section have indefinite duration and may be terminated only by action of city commission. If city commission terminates a utility agency's rights under an agreement subject to this section, the utility agency must, at its own expense, find an alternate place for its facilities and remove and relocate the facilities.
- f) As to property in which the City owns only an easement, the Petitioner need not pay more than the processing fee provided for above. The agreement may impose limitations on the proposed use to assure city easement rights are not interfered with and is terminable only if the use interferes with City's easement rights.
- g) No agreement under this section grants the right to trespass on or otherwise use property in which person's other than the city have an interest. When the City does not own the fee or another owns an easement, petitioner must get consent from the owner of all non-City interests.

**Sec. 139.6 - USE OF CITY EASEMENT PROPERTY BY PRIVATE PROPERTIES**

- a) Petitions for use of property over which the City owns an easement, other than by the owner of the fee underlying an easement, must be submitted to the Director of Development Services or designee. The director may process requests and may establish forms and procedures to carry out this section. This section does not apply to public street, alley, sidewalk, plaza, or other public area easements.
- b) Petitioner need pay only an administrative fee of \$500. The agreement may impose limitations on the proposed use to assure city easement rights are not interfered with. Rights under an agreement subject to this section have indefinite duration, and they may be terminated only if the use interferes with City's easement rights.
- c) A director may, without City Commission action, approve agreements conforming to this section and not impairing the City's rights in the affected property. Termination may be by the director without council action. One whose rights are terminated by the director may appeal to the City Commission by sending written notice of such appeal to the director. The director must then act with reasonable dispatch to put the appeal on City Commission's agenda. One appealing a termination is responsible for monitoring upcoming City Commission agenda to learn when the Commission will take the appeal up.
- d) No agreement under this section grants the right to trespass on or otherwise use property in which persons other than the city have an interest. Petitioner must get consent from the owner of all non-City interests.
- e) Owners of the fee underlying city easements need not apply for rights under this chapter. In no event may an underlying owner's use of the fee impair the City's easement rights.

**Sec. 139.7- FIBER OPTIC LICENSES**

- a) Petitions by telecommunications providers to install fiber optic cable, conduit, and related facilities on city right-of-way or other city property must be submitted to the Director of Development Services or designee. The director may process requests and may establish forms and procedures to carry out this section. The non-refundable fee for each fiber optic license is \$3,500. This section does not apply to a certified telecommunications provider licensed by the Texas Public Utility Commission that is providing retail telecommunications service within the City and does not include public right-of-way that is a drainage easement unless the City also owns the underlying fee interest.
- b) Fiber optic licenses have 5 year terms.
- c) The annual fee for use of public right-of-way for the purpose of installing aerial and/or subterranean fiber optic facilities is based on the fair market value of the right-of-way used by the petitioner. The licensed area must be as wide as the petitioner will reasonably need to maintain the licensed facilities, but not more than 20 feet. Notwithstanding section 139.3(i), the director in his discretion may utilize internal staff or engage an independent professional consultant to conduct an appraisal of the right of way subject to the license, based on the appraised values of adjoining properties as assessed by the Hidalgo County Appraisal District. The petitioner will be responsible for paying the right-of-way appraisal separate from the processing fee. The director will determine the fair market value on a per-linear-foot basis of the right-of-way area associated with the petitioner's network footprint. The usage fee for the first year of the license will be

determined by multiplying the per linear foot fair market value by the total number of square feet of right-of-way.

- d) The licensing fee will authorize the petitioner to install fiber facilities on the City right-of-way, but does not grant the authority to use poles or other infrastructure of the City or utility agencies. The director may require a petitioner to sign and deliver an agreement setting out the applicable license fee and conditions imposed by city departments and utility agencies. When reasonably conducive to the efficient use of the property on which fiber facilities are located, the director may require licensee to relocate the fiber optic facilities, including conduit, at licensee's expense.
- e) Following termination of the license for any reason, licensee must remove or otherwise dispose of the fiber facilities at its own expense within 60 days. Failure to take this action will result in the fiber facilities being considered abandoned and the property of the City.

**Sec. 139.8. Licenses for Petrochemical Pipelines on City Property.**

- a) Uses of public right of way or other city property for petrochemical pipelines must be licensed under this section. Petitions for such licenses must be submitted to the director of Development Services. The director may process licenses, requests and may establish forms and procedures conducive to carrying out this section.
- b) The non-refundable license processing fee for each petition is \$5,000.
- c) Except as provided below, the license fee for the first year of a pipeline license is the fair market value of the licensed area. The fee for each succeeding year is the previous year's fee multiplied times 1.04. Licenses do not exceed 10 years.
- d) The licensed area must be as wide as the petitioner will reasonably need to maintain the pipeline, but not less than five feet. For the purpose of calculating the fee, the minimum licensed area is 300 square feet.

**Sec. 139.9 - Closure, Vacation, and Abandonment of Public Right of Way.**

- a) Petitions for closure, vacation, and abandonment of public streets or alleys must be submitted to the director of Development Services. The director may process requests and may establish forms and procedures to carry out this section.
- b) Petitioner must demonstrate ownership of each abutting property and must submit at least a standard land survey with field notes for each abutting-property owner's portion of the affected public rights of way. All owners of abutting property must consent to the action under this section. The consent must be in writing and may be by quitclaim deed. Unless Petitioner demonstrates that City owns the right of way in fee, City will assume the right of way exists by easement.
- c) Fees for closures, vacations, or abandonments are:
  - 1) A non-refundable processing fee of \$300, and
  - 2) The fair market value of the right-of-way segment being closed, vacated or abandoned.

- d) The director may require a petitioner to sign and deliver an agreement setting out the applicable closure fee and conditions imposed by city departments and utility agencies.
- e) Not later than 10 days before the Planning and Zoning Commission takes up a proposed closure, vacation, or abandonment, the director must cause signs to be placed at or near the public right of way to be closed. The signs must state the proposed action and the location and dates of the planning commission and city council action and must remain in place until city council acts on the petition. Signs need not be erected for undeveloped ("paper") public right of way or for slivers not affecting the path of public travel. In addition to the processing fee, the director may require a petitioner to deposit up front the reasonable cost of procuring, installing, and removing the signs.
- f) Not later than 10 days before the Planning and Zoning Commission takes up a proposed closure, vacation or abandonment, the director must cause letters to be sent out to the persons the director reasonably believes to be owners of all tracts within 500 feet of any portion of the affected right of way. In determining ownership of tracts, the director need not inquire further than the ownership listings by Hidalgo County Appraisal District. Letters need not be sent for paper public right-of-way or for slivers not affecting the path of public travel.
- g) Closing, vacating, and abandoning public right of way must be approved by ordinance. Opposition by neighborhood groups may be considered by Planning and Zoning Commission and City Commission, but such opposition is not a basis for the director to fail to process a petition.

**Sec. 139-10 - Sale of Surplus Real Property.**

- a) Petitions for the sale of all city surplus property must be submitted to the Director of Development Services, unless another department is responsible for the property. The director may process requests and may establish forms and procedures to carry out this section.
- b) Except for property that *is* the responsibility of other departments, the director of Development Services is responsible for the disposition of all city-owned real property deemed surplus to the city's needs, as established by a canvassing of city departments and agencies.
- c) Surplus status may finally be determined only by city council, upon the recommendation of the planning commission, and only city council can authorize sales. All sales of surplus property must conform to law.
- d) The non-refundable processing fee for a private request to canvass a particular city-owned property for designation as surplus for disposition purposes is \$815, unless initiated by a department director or assistant director.

**Sec. 139-11 - Wireless Communications Towers on City-Owned Property.**

- a) The following definitions apply to this section:

*City tower* means a wireless communications tower on city-owned property.

*Provider* means any person that erects a city tower other than the City.

*Co/locator* means any person, other than a provider, that installs wireless antennae facilities on a city tower.

- b) Petitions for the right to erect a city tower or collocate antennae facilities on a city tower must be submitted to the director of the Development Services Department. The director may process requests and may establish forms and procedures to carry out this section. Tower leases and collocation licenses are for 10-year terms.
- c) The City may lease space for the erection of city towers. When erected, city towers remain personal property and belong to the provider during the existence of the lease. The provider is entitled to install one antennae array and antennae facilities on the city tower at a discounted licensing fee for the entire life of the lease. The lease may specify the required height of the city tower and the required number of antennae array locations. If following termination of a tower lease for any reason, the provider fails to remove the city tower within 60 days or otherwise dispose of the tower, the tower shall be considered abandoned and shall become the property of the City.
- d) Despite the city tower being the provider's personal property during the term of a lease, the City reserves the right to charge license fees to collocators desiring to install antennae facilities on the city tower. If a city tower was built before adoption of this section, the provider must obtain a tower lease from the city, and any collocator must obtain a collocation license for its antennae facilities.
- e) The City Attorney must approve the form of each tower lease and collocation license that does not conform to this section, both of which must be approved by the City Commission.
- e) The non-refundable processing fee for each petition for a wireless- communication tower lease is \$3,500.

#### **Sec. 139-12. Granting and Releasing Easements.**

- a) Petitions for granting or releasing easements must be submitted to the Department of Development Services. The director may process requests and may establish forms and procedures to carry out this section. The non-refundable processing fee for the release or grant of easements in city property is \$150. The director may require petitioner to demonstrate that the city owns the fee of the property for which an easement is being requested and that no inconsistent rights have previously been granted.
- b) The fee for granting or releasing an easement in city property is the greater of \$3,000 or the fair market value of the easement. The value of the easement to be released by City is presumed to equal the fair market value of the fee, determined according to the requirements of this Chapter. Nothing in this Chapter requires the city to grant an easement to another, and if another wants an easement from the City, the City may negotiate for a higher price than the minimum described above.
- c) If requested by the director, petitioner must sign and deliver an agreement setting out the applicable fee and conditions imposed by city departments and utility agencies.
- d) Easements need not be granted when they would be inconsistent with the city's use or planned use for the affected property and may be granted or released only with approval by the City Commission.

**Sec. 139.13 - Rights of Entry.**

- a) A director may, without City Commission action, permit surveying, measuring, testing, and similar activities on city property for which their departments are responsible. A director may charge \$300
- b) A director also may, without City Commission action, enter into right-of-entry agreements permitting the City to conduct surveying, measuring, testing, and similar activities on property the city may wish to acquire or on property the City otherwise needs to enter in conducting its affairs. Directors may process requests and may establish forms and procedures to carry out this section. A director may not pay more than \$1,000 without City Manager or Asst. City Manager approval.
- d) Agreements authorized by this section must be in writing and in form satisfactory to the City attorney.

**Sec. 139.14-Notices of Non-Acceptance.**

- a) When the director of Development Services learns of real property deeded to the City without the City's consent, the director must canvass City departments and utility agencies to determine whether a use exists for the property.
- b) If a use exists, the director must seek City Commission authorization for the acceptance of the property. If a use does not exist, the director should cause a notice of non-acceptance of the real property to be filed in the appropriate county records of real property.

**Sec. 139.15 - Releases of Lien.**

- a) A director of a department responsible for putting a lien on private property may, without City Commission action, release the lien if the amount secured by the lien is paid in full. The director may also release a lien on receipt of a compromised amount if the compromise is otherwise authorized directly by City Commission or by delegation of authority.
- b) The director of a department responsible for putting a lien, without City Commission action, release liens in favor of the City when advised in writing by the City Attorney's Office that the liens are invalid according to law.

139.17 [Reserved].

**SECTION 3 – SEVERABILITY**

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof. The effects of this Ordinance shall at all times be in compliance with state, federal, local, and other guidelines as directed. If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

**SECTION 4 – APPLICABILITY**

The provisions of this Chapter shall apply to all alcoholic beverage establishments a within the City of Pharr, its lands, all land uses, development activity, and all structures and facilities in the City, whether or not a permit or authorization is required. This Chapter shall apply to every person, partnership, firm, corporation, group, governmental agency, or other entity that owns, leases, or administers land within the City. The City shall not approve any permit or otherwise issue any authorization without first ensuring compliance with the requirements of this Chapter. Approval of a permit or development proposal pursuant to the provisions of this Chapter does not discharge the obligation of the applicant to comply with the provisions of this Chapter.

**SECTION 5 – SAVINGS CLAUSE**

Except as hereby amended, any provisions of the code of ordinances or directives of the City of Pharr, Texas, not in conflict with this Ordinance shall remain in full force and effect, unimpaired hereby.

**SECTION 6 – EFFECTIVE DATE; PUBLICATION**

The Ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

**SECTION 7 – REPEALING CLAUSE**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 8 – CUMULATIVE**

This ordinance shall be cumulative of all ordinances of the City of Pharr, Texas, and of all laws of the State of Texas.

**SECTION 9 – PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ  
MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the \_ day of \_\_\_\_\_, 2015.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ  
MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE THIRD AND FINAL READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the \_\_ day of \_\_\_\_\_, 2015.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ  
MAYOR

ATTEST:

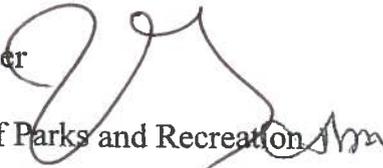
\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK



## MEMORANDUM

**DATE:** September 22, 2015

**TO:** Juan G. Guerra, City Manager

**FROM:** Francisco Marin, Director of Parks and Recreation 

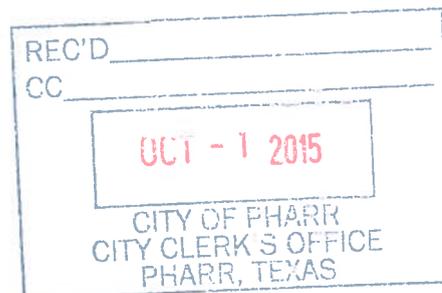
**SUBJECT:** Consider Appointment/Reappointment of Parks and Recreation Committee Member-Allen Williams

### ISSUE

The term of the parks and recreation committee member will soon expire. We have made personal contact with him and he has indicated his interest in continuing to serve.

### STAFF RECOMMENDATION

Staff recommends that the City Commission consider reappointing the aforementioned member who wishes to continue to serve. Attached is a copy of his attendance record.





THE STATE OF TEXAS

§

**RESOLUTION**

COUNTY OF HIDALGO

§

**NO. R-2015-**

CITY OF PHARR

§

**WHEREAS**, in accordance with city ordinance, Chapter 90, Article II, Section 90-32, has created and appointed a Parks and Recreation Committee composed of nine members who shall be residents of the City of Pharr and serve a term of two years. Any member of the Committee may be reappointed by the City Commission upon completion of a full term.

**WHEREAS**, Allen Williams' term will expire October 15, 2015; and

**WHEREAS**, appointment/re-appointment of one (1) member needs to be made at this time; and

**WHEREAS**, such member shall assume the duties, responsibilities, and powers provided by city ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:**

The following person is hereby appointed as member of the Parks and Recreation Committee of the City of Pharr.

**NAME:**

**LENGTH OF TERM:**

1.

2 years (October 15, 2017)

**PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 6<sup>th</sup> day of October, 2015.**

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

## MEMORANDUM

**DATE:** September 30, 2015 OK **Date of Meeting:** October 6, 2015  
**TO:** Mayor and Commissioners  
**THRU:** Juan G. Guerra, City Manager  
**FROM:** Hilda Pedraza, City Clerk HP

### Selection/Election of Board of Directors 2016-2017

#### ISSUE

On September 15, 2015 the Pharr Board of Commissioners nominated Juan Pimentel to the Hidalgo County Appraisal District. However, Mr. Pimentel has declined nomination and does not wish to be on the ballot for the Board of Directors. Therefore nomination of a new candidate needs to be made at this time.

#### ELIGIBILITY OF BOARD MEMBERS

To be eligible to serve on a board of director, an individual must be a resident of the CAD and must have resided in the CAD for at least two years immediately preceding the date of taking office.

An employee of a taxing unit that participates in the CAD is not eligible to serve on the board of directors, unless that individual also is a member of the governing body of the taxing unit or an elected official of a taxing unit.

Owning delinquent property taxes disqualifies a person from serving on the CAD board of directors.

A person who has appraised property for compensation for use in proceedings or represented property owners for compensating in proceedings in the CAD at any time within the preceding five years is ineligible to serve on the board of directors.

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to an appraiser or a person who represents property owners for compensation.

#### STAFF RECOMMENDATION

Consider nomination of candidate(s) for the Board of Directors of the Hidalgo County Appraisal District.

**RESOLUTION NO. R-2015- \_\_\_\_**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR TEXAS EXPRESSING ITS NOMINATION FOR APPRAISAL DISTRICT DIRECTORS FOR 2016-2017 ON THE HIDALGO COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**

**WHEREAS**, the Board of Commissioners of the City of Pharr is authorized to make nominations for each position to be filled in the Hidalgo County Appraisal District Board of Directors; and

**WHEREAS**, these directors shall serve a two (2) year term beginning January 1, 2016 and that all taxing entities associated with the Hidalgo County Appraisal District are authorized to nominate one person for said Board; and

**WHEREAS**, the Board of Commissioners of the City of Pharr must submit the name of the nominee by written resolution to the Chief Appraiser by October 15, 2015.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS** that the name of:

\_\_\_\_\_

is hereby nominated by the City of Pharr to the Hidalgo County Appraisal District Board of Directors.

**FURTHER**, the City of Pharr directs the Chief Appraiser to submit said nomination for consideration by all taxing entities within the Hidalgo County Appraisal District in the upcoming district election.

**PASSED AND APPROVED** this the 6<sup>th</sup> day of October, 2015.

CITY OF PHARR

\_\_\_\_\_  
Ambrosio Hernandez, Mayor, City of Pharr

ATTEST:

\_\_\_\_\_  
Hilda Pedraza, City Clerk



## MEMORANDUM

DATE: September 25, 2015  
TO: Juan G Guerra, City Manager  
FROM: Ruben Villegas, Police Chief

OK  
JG

**SUBJECT: Request for Authorizing City of Pharr Police Department to participate in the Secure Ballistic Disposal and Recycling Program with Fiber Brokers International LLC.**

### ISSUE

The City of Pharr purchasing manual Chapter 8 addresses procedures for the Disposal of Surplus/Salvage Equipment/Material.

#### **8. A – SURPLUS EQUIPMENT AND PROPERTY**

Any property that is movable or not attached to the land (referred to as personal property) such as furniture, fixtures, vehicles, equipment, tools, instruments, clothing, or other such items of value, which has lost its useful value to the City or has become obsolete, may be disposed of by any of the following methods.

1. Sold competitively by accepting sealed bids or by public auction.
2. Traded in for new equipment;
3. Donated to an entity with City Commission approval;
4. Recycled; or
5. If the item has no value except for salvage, the procedure will take place per Section 8B.

Fiber Broker International LLC is a company that provides recycling and inventory services to law enforcement entities, as it pertains to the disposal of Ballistic Panels. Fiber Broker International LLC is a company stationed out of Brent, Alabama. The company has a history of servicing agencies such as; Houston PD, Austin PD, and San Antonio PD with the aforementioned services.

Currently, the Pharr Police Department has 117 expired Ballistic Panels that do not have warranty and cannot be used in Police work. If an agreement is reached with the company, they will provide us with the required documentation for the proper discarding of the equipment.

**There is no cost to the police department.**

### ALTERNATIVE

Not partnering with Fiber Broker International LLC and keeping the ballistic panels in our storage inventory as surplus indefinitely.

**STAFF RECOMMENDATION**

I recommend that approval be given for this department to partner with Fiber Broker International LLC for the disposal of the Ballistic Panels.

Sequence	Date	Serial		Sequence	Date	Serial
1	02/2010	100000055933		31	-----	0100553356
2	02/2010	100000055910		32	-----	0100553363
3	02/2010	100000067733		33	-----	0100553428
4	02/2010	100000067740		34	05/2006	0601405823
5	-----	0601405982		35	-----	0601406023
6	-----	0601405824		36	-----	0100553421
7	04/2008	080000123931		37	-----	0100553425
8	02/2010	080000123932		38	-----	0100553414
9	02/2010	100000055918		39	-----	-----
10	02/2010	100000055946		40	09/2010	100000208937
11	02/2010	1000067744		41	03/2008	080000115193
12	08/2010	100000067737		42	08/2010	100000201453
13	08/2010	100000201413		43	03/2008	080000115194
14	10/2007	100000201484		44	-----	0601406017
15	-----	070000040817		45	08/2010	100000201528
16	-----	07000004----		46	05/2006	0601405981
17	-----	9700160753		47	-----	0601406014
18	-----	9700150816		48	-----	0601405886
19	08/2009	0100553347		49	08/2009	090000677245
20	08/2009	-----		50	08/2009	090000677253
21	08/2010	090000677258		51	-----	090000407923
22	09/2010	090000677248		52	02/2010	100000055938
23	08/2010	100000201468		53	-----	-----
24	09/2010	10000028891		54	-----	-----
25	12/2000	100000201538		55	-----	-----
26	-----	100000208962		56	09/2010	100000208919
27	-----	090000407892		57	02/2010	100000067739
28	02/2009	-----		58	02/2010	100000067746
29	-----	-----		59	-----	0601406078
30	-----	09000407911		60	-----	0601405926

Sequence	Date	Serial		Sequence	Date	Serial
61	07/2007	0701718679		91	02/2010	100000055953
62	-----	-----		92	02/2010	100000067738
63	02/2010	100000055923		93	02/2010	100000067745
64	-----	0100553427		94	-----	0501026317
65	-----	0100553364		95	-----	0501020216
66	08/2009	090000677252		96	-----	-----
67	08/2009	090000677260		97	-----	-----
68	08/2009	090000677251		98	02/2010	100000055941
69	08/2009	090000677261		99	02/2010	100000055915
70	02/2010	100000055927		100	02/2010	100000067735
71	02/2010	100000055952		101	02/2010	100000067741
72	02/2010	100000055908		102	02/2010	100000055942
73	02/2010	100000055934		103	02/2010	100000055912
74	08/2009	090000677247		104	02/2010	100000055949
75	08/2009	090000677256		105	02/2010	100000055920
76	03/2010	100000093584		106	02/2010	100000055929
77	03/2010	100000093585		107	02/2010	100000055904
78	11/2009	090000747213		108*	08/2010	100000201485
79	11/2009	090000747208		109*	08/2010	100000201472
80	08/2010	100000201512		110*	08/2010	100000201485
81	08/2010	10000201434		111*	08/2010	100000201415
82	02/2010	100000055936		112*	08/2010	100000201408
83	02/2010	100000055907		113*	08/2010	100000201481
84	08/2010	100000201479		114*	-----	0601406084
85	08/2010	100000201406		115*	-----	0601405931
86	08/2010	100000201489		116*	02/2010	100000055943
87	08/2010	100000201425		117*	02/2010	100000055914
88	08/2010	100000201467				
89	08/2010	100000201541				
90	02/2010	100000055955				

\*Denotes that new entries were made on Thursday September 24, 2015.

289 Cooper Ave.  
Brent, AL 35034



205-413-4499  
Fax: 205-316-0001

### ENROLLMENT, RECEIPT AND DESTRUCTION RECORD ("SBDR")

Agency Name: Pharr Police Department  
Agency Address: 1900 S. Cage Blvd.  
Agency City/State: Pharr, Texas  
Agency Contact: Asst. Chief Joel Robles Phone #: 956-402-4719  
E-mail Address: joel.robles@pd.pharr-tx.gov Date: 09/14/2015

Thank you for participating in our Secure Ballistic Disposal and Recycling Program. Your participation is subject to the attached terms and conditions. By signing this record, you affirm your acceptance of those terms.

In order to assist us in maintaining a chain of custody over the products until they are properly destroyed, please fill in the information below and return a copy to us with the your shipment.

Number of vest panels: \_\_\_\_\_ (Note here only if removed from carriers)  
Number of complete vests: \_\_\_\_\_ (Note here only if still in carriers)  
Number of Boxes: \_\_\_\_\_ (Complete for all shipments)

**At your discretion, you can include a manifest of the vest panels included with the shipment, but note that Fiber Brokers will complete an independent assessment of the material to track serial numbers once it arrives to ensure all material is received and destroyed properly.**

Please note the method of shipment that has been arranged for this shipment on the form. Include relevant tracking numbers prior to faxing a copy of this document to our office.

Carrier Name: \_\_\_\_\_ (ex. FedEx, Old Dominion, etc)  
Shipment Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Tracking Number: \_\_\_\_\_

Agency Contact: \_\_\_\_\_  
(Signature)

Print Name: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)



289 Cooper Ave.  
Brent, AL 35034



205-413-4499  
Fax: 205-316-0001



***ACKNOWLEDGEMENT OF RECEIPT***

The Company hereby acknowledges the receipt of the packages described on the attached enrollment form. The material was received by the Company on the \_\_\_ day of \_\_\_, \_\_\_ at the Company's location in Brent, Alabama by Kristi Deerman, Special Projects Assistant.

FIBER BROKERS INTERNATIONAL, LLC.

Company Representative Signature: \_\_\_\_\_  
Title: Executive Administrative Assistant

***CERTIFICATION OF DESTRUCTION OF PRODUCTS***

Company hereby represents and certifies to Customer that the products were destroyed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

FIBER BROKERS INTERNATIONAL, LLC.

Company Representative Signature: \_\_\_\_\_  
Title: Executive Administrative Assistant



289 Cooper Ave.  
Brent, AL 35034



205-413-4499  
Fax: 205-316-0001

## TERMS AND CONDITIONS OF PARTICIPATION

### ENGAGEMENT OF COMPANY

By shipping the used or spent ballistic products (described on the face hereof) (the "Products") Customer hereby agrees to engage Fiber Brokers, LLC. ("the Company") pursuant to the terms and procedures of the Company's Secure Ballistic Disposal and Recycling Program ("SBDR") and upon the terms and subject to the conditions contained herein. The Company hereby agrees to receive the Products and to dispose of them pursuant to the terms and procedures of SBDR and upon the terms and subject to the conditions herein contained.

### TRANSFER OF TITLE

In consideration for the Company receiving and disposing of the Products, Customer agrees to transfer title to the Products to the Company free and clear of all liens, encumbrances or claims whatsoever. The Company shall accept title to, and assume the risk of loss of, the Products when they are received by the Company at its facility in Brent, Alabama and such receipt is acknowledged by the Company pursuant to this Agreement. Customer shall not receive any additional compensation for the Products.

### PACKAGING AND SHIPPING

Customer hereby agrees to package the Products into boxes labeled pursuant to the Company's instructions and the SBDR and to load and deliver the boxes to the Company's facility in Brent, Alabama. Unless otherwise agreed to in writing by Company, Customer shall be solely responsible for all shipping costs associated with the shipping and delivery of the Products to the Company's facility in Brent, Alabama.

### REPRESENTATIONS OF CUSTOMER

Customer represents and warrants to the Company that (i) Customer has title to the Products free and clear of all liens, encumbrances or claims whatsoever and was in lawful possession of the Products, at the time they were delivered to Company pursuant to the terms hereby; (ii) Customer has lawful authority to transfer title to the Company; (iii) Customer has taken all the necessary and appropriate actions and procedures under Customer's applicable policies and under all applicable federal, state and local laws and regulations, to dispose of the Products; (iv) Customer has taken all necessary and appropriate action to authorize the disposition and delivery of the Products to the Company; (v) the person/persons executing and delivering this Agreement and all instruments and documents contemplated hereby are authorized to do so on behalf of Customer; and, (vi) the execution, delivery and performance of this Agreement and all instruments and documents contemplated by this Agreement do not and will not require any consent or approval which has not been obtained.

### GOVERNING LAW AND CHOICE OF FORUM

This Agreement shall be interpreted, construed and enforced in accordance with the laws of the state of Alabama. All disputes arising under this Agreement shall be resolved in a court of competent jurisdiction in Brent, Alabama and each party agrees to submit to the personal jurisdiction and proper venue of such court(s).

### INDEMNIFICATION

Each party to this Agreement shall indemnify the other party against any and all losses, damages, liabilities, claims, costs and expenses (including reasonable legal fees) arising directly or indirectly out of: (i) any failure of any representation or warranty of the other party to be correct and complete when made or (ii) any failure by the other party to fully perform and observe obligations and conditions to be performed or observed by that party under this Agreement, whether any such failure is innocent, negligent, or intentional. All rights and remedies under this Section 6 are cumulative and are in addition to all other rights or remedies under this Agreement or any applicable laws.

### COMPLETE AGREEMENT

This Agreement (including its exhibits), contains the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior or contemporaneous discussions, negotiations, representations, or agreements relating to the subject matter of this Agreement. No changes to this Agreement shall be made or be binding on any party unless made in writing and signed by each party to this Agreement.

### SUCCESSORS

This Agreement shall be binding upon, inure to the benefit of, and be enforceable by and against the respective successors and assigns of each party to this Agreement.

### LEGAL EFFECT

Nothing in this Agreement shall confer upon either party any proprietary interest in or subject either party to any liability for the business, assets, profits, losses or obligations of the other. Neither party shall be deemed a partner of, or agent for, the other. The Company and its personnel shall perform all services under this Agreement as an independent contractor, and nothing contained in this Agreement shall be deemed to create any association, partnership, joint venture, or relationship of principal and agent or employer and employee between the Company and its personnel and Customer, or to provide either party with the right, power or authority, whether express or implied, to create any such duty or obligation on behalf of the other party.



"Triple Crown City"



**POLICE CHIEF**  
**Ruben Villescas**

**September 21, 2015**

**To: Chief Ruben Villescas**  
**From: Asst. Chief Joel Robles**  
**Ref: Surplus Ballistic Panels**

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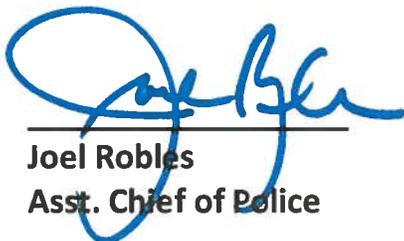
**Chief Villescas,**

The Pharr Police Department participates with the Department of Justice Bullet Proof Vest Grant. The issue of maintaining inventory of ballistic panels that are over the five (5) year mark and no longer under Warranty has risen. I reached out to the Department of Justice, and they informed me that departments which receive funds for Bullet Proof Vests are allowed to adhere to their City Policy regarding destruction and surplus of equipment.

Police staff conducted an inventory of old and expired Bullet Proof Vests, and a list of 117 ballistic panels were recorded. We reached out to different organizations that destroy and recycle ballistic panels, and Fiber Broker International LLC out of Brent, Alabama provides this service to law enforcement entities free of charge. I spoke with Regina Love of Fiber Broker International LLC and learned that they provide this service to Houston Pd, Austin Pd, and San Antonio Pd in the State of Texas. Ms. Love informed me that Federal Agencies are also serviced by them.

I am asking for approval to partner with Fiber Broker International LLC for the destruction of the 117 Ballistic Panels currently in our inventory. This department cannot use these panels for Police work, thus these panels are useless to us. I want to remove these items from our inventory to prevent theft, unlawful use, and to free up some of the space in our storage areas.

Fiber Broker International LLC will provide an acknowledgement of receipt and a certification of destruction for us, to prevent any liability and compliance with the Department of Justice Bulletproof Vest Grant.



**Joel Robles**  
**Asst. Chief of Police**



## MEMORANDUM

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**DATE:** September 29, 2015                      Date of Meeting: October 6, 2015

**TO:** Mayor and Commissioners                      

**THRU:** Juan G. Guerra, City Manager

**FROM:** Hilda Pedraza, City Clerk

**Appointing voting delegate and an alternate to cast the City's vote at the National League of Cities Annual Business Meeting on Saturday, November 7, 2015**

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### ISSUE

The National League of Cities' (NLC) Annual Business Meeting will be held on Saturday, November 7, 2015, in Nashville, Tennessee. As a direct member city, the City of Pharr is entitled to vote at this meeting. Based on population as of the 2010 Census, each member city casts between one and twenty votes. The number of votes for the city is 2 votes.

Members attending this year's conference are Comm. Guajardo and Comm. Medina.

### STAFF RECOMMENDATION

Consider appointment of a voting delegate and an alternate to cast the City's vote.

THANK YOU



2015 Officers

President
Ralph E. Becker
Mayor
Salt Lake City, Utah

First Vice President
Melodee Colbert-Kean
Councilmember
Joplin, Missouri

Second Vice President
Matt Zone
Councilmember
Cleveland, Ohio

Past President
Christopher B. Coleman
Mayor
Saint Paul, Minnesota

Chief Executive Officer/
Executive Director
Clarence E. Anthony
Deputy Executive
Director
Antoinette A. Samuel

September 22, 2015

Hilda Pedraza
City Clerk
City of Pharr
PO Box 1729
Pharr, TX 78577-1632

Dear City Clerk Pedraza:

The National League of Cities' (NLC) Annual Business Meeting will be held on Saturday, November 7, 2015, at the conclusion of the Congress of Cities and Exposition in Nashville, Tennessee. As a direct member city, your city is entitled to vote at this meeting. Based on population as of the 2010 Census, each member city casts between one and twenty votes. The number of votes for each population range can be found below.

Table with 4 columns: POPULATION, VOTES, POPULATION, VOTES. Rows include population ranges like 'Under 50,000' and '50,000 - 99,999' with corresponding vote counts.

To be eligible to cast a city's vote, a voting delegate and/or alternate(s) must be officially designated by the city using the enclosed credentials form and the city's membership in NLC must be up to date. NLC bylaws expressly prohibit voting by proxy.

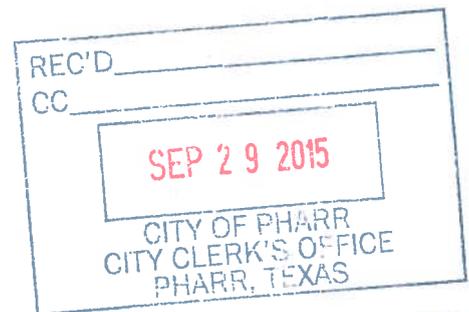
At the Congress of Cities, the voting delegate must pick up and sign for the city's voting card at the Ask NLC Booth before the Annual Business Meeting and must be present at the Annual Business Meeting to cast the city's vote. The Ask NLC Booth will be open during scheduled times throughout the Congress of Cities and Exposition.

Please return the completed form to NLC by mail, fax (202-626-3109) or email membership@nlc.org before October 30, 2015, and keep a copy for your files. If you have any questions, please contact Mae Davis, at mdavis@nlc.org or 202-626-3150; or contact Gail Remy, Director of Member Relations at remy@nlc.org, or 202-626-3026.

Thank you,

Signature of Clarence E. Anthony
Clarence E. Anthony
Executive Director

Enclosure





**CREDENTIALS FORM**

**NATIONAL LEAGUE OF CITIES · 2015 CONGRESS OF CITIES AND EXPOSITION · NASHVILLE, TENNESSEE**

At the Annual Business Meeting on Saturday, November 7, 2015, from 2:30 p.m. to 4:30 p.m., each direct member city of the National League of Cities (NLC) is entitled to cast from one to 20 votes based upon the city's population per the 2010 census, through its designated voting delegate. Please indicate below your city and state, your voting delegate and alternate(s), and sign and date the form. The form should be returned by October 30, 2015.

The official voting delegate and alternate(s) from:

City of Pharr                      Pharr, TX

**VOTING DELEGATE:**

1. NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

**ALTERNATE VOTING DELEGATE(S):**

2. NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

3. NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

<p><b>FOR OFFICE USE ONLY</b> <b>(DO NOT WRITE IN THIS SPACE)</b> <i>Voting card issued to:</i></p> <hr/> <p><i>(signature)</i></p> <p><b>Votes: 1</b></p>
--

**PLEASE SIGN AND RETURN THIS FORM TO NLC BY OCTOBER 30, 2015**  
**ATTENTION: MAE DAVIS, NATIONAL LEAGUE OF CITIES, 1301 PENNSYLVANIA AVE., NW, SUITE 550, WASHINGTON, DC 20004**  
**EMAIL: [MEMBERSHIP@NLC.ORG](mailto:MEMBERSHIP@NLC.ORG); FAX: 202-626-3109**

Signature (city representative): \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

## MEMORANDUM

**DATE:** October 2, 2015

**TO:** Juan G. Guerra, City Manager

**FROM:** Francisco Marin, Director of Parks and Recreation

QK  
E

**SUBJECT: Request from rainbowRGV Community Partners to use the Jose “Pepe” Salinas Memorial Civic Center**

### ISSUE

The organization, rainbow RGV Community Partners is requesting the use of the Jose “Pepe” Salinas Memorial Civic Center’s large hall on Saturday, December 19, 2015, from 1:00 p.m. to 1:00 a.m. They wish to host a retirement event for Mr. Gilbert Zepeda, who is retiring as a Drama Director, after 37 years of teaching.

### FINANCIAL CONSIDERATION

This organization wishes to use the facility at no cost. The standard rental rate for this facility on a Saturday is \$1,000.00, and \$1,480.00 with security.

### STAFF RECOMMENDATION

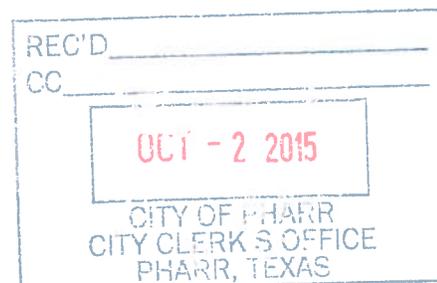
Staff recommends that the City Commission consider this request.

### ALTERNATIVES

The alternative would be to request that this organization pays the standard non-profit rate of \$1,000.00, and \$1,480.00, should they require security.

Please feel free to contact me should the need arise, my extension is 2364.

Thank You





1919 Austin Street, McAllen, Texas 78501

To The City of Pharr;

An historic event is taking place in the city of Pharr. After 37 years of teaching, legendary Drama Director Gilberto Zepeda will be retiring. At some point we have been a student or an audience member in his plays. He brought theater to the Latino community in South Texas in a way we had never seen before he arrived. The time has come to honor his achievements. His students of over 37 years are uniting to throw him a *surprise* retirement bash. We are asking the City of Pharr to be a part of this memorable event. We are requesting the use of the facility *The Pepe Salinas Memorial Civic Center* for the evening of December 19, 2015. As we are in the early planning stages we are also fund-less at this time and humbly request the City of Pharr to donate the facility for the event to honor this teacher who has taught in the city for most of his teaching career.

We will do several things to elevate this event to more than a party. With the donation of the event center funds can be free to serve our philanthropic efforts as well. Through donations we will also begin the Gilbert Zepeda Scholarship and in a nod to the community we will also use leftover funds to make a donation to the Rainbow Room in the CPS office in McAllen. This local non-profit helps the children in Hidalgo County who are victims of abuse and neglect and are involved with Child Protective Services. The Rainbow Rooms provides emergency resources to be available to CPS workers primarily for the children of removals; resources such as NEW clothing, diapers, shoes, school supplies, hygiene items, etc.

We will be eternally grateful to the City of Pharr for considering our request for the use of the facility. The Rainbow Room is a 501c3 nonprofit and to help us with our efforts ask the city to consider using their tax exempt status to write off the expense of the center for our use. The City of Pharr will be recognized throughout our event for your generosity should you decide to allow us this opportunity. Thank is advance for your consideration.

Humbly yours,  
Emma Ramos-Menchaca  
Regional Rainbow Room Coordinator  
Child Protective Services, Region 11  
PSJA Drama President 1986 and 1987, PSJA Class of '87



## MEMORANDUM

**DATE:** September 30, 2015

**TO:** Juan G Guerra, City Manager

**FROM:** Karla Moya, Finance Director



**SUBJECT: BUDGET FY 2015.2016 DOCUMENT**

### ISSUE

The City just adopted its FY 2015.2016 Annual Financial Budget and Official Budget Document is presented and will be available at Municipal Library and City Secretary's office,

### FINANCIAL CONSIDERATION

N/A

### STAFF RECOMMENDATION

N/A

### ALTERNATIVES

N/A

Please let me know if you have any questions on this or you want more detail

THANK YOU

*Karla Moya*

*Finance Director*

*City of Pharr*

*Phone: 9564024150 Ext. 1907*





## MEMORANDUM

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**DATE:** September 29, 2015  
**TO:** Juan G Guerra, City Manager  
**FROM:** William F. Ueckert Jr., P.E. - City Engineer

**SUBJECT: Agenda Request: Consideration and action, if any, on Change Order #2 in the total amount of add \$120,682.50 and add 40 calendar days for the Capote & Las Milpas Parks Street Improvements.**

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### ISSUE

Due to the heavy rains over the summer months, the water table raised to a level that affected the caliche base material to become saturated. A solution to remedy this is to lime stabilize the caliche base at a depth of 6-inch. This will result in a base material that will not water to penetrate into the asphalt. The contractor is asking for additional days to contract due to rain day delays.

### FINANCIAL CONSIDERATION

Estimated construction cost is \$120,682.50.

### STAFF RECOMMENDATION

Staff recommends Change Order #2.

### ALTERNATIVES

With no lime stabilization there could be asphalt failures within the street.



## MEMORANDUM

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**DATE:** September 30, 2015



**TO:** Mayor and City Commissioners

**CC:** Juan Guerra, City Manager; Ed Wylie, Asst City Manager

**FROM:** David Garza, Utilities Director

**SUBJECT:** Acceptance of Bid for Sludge Management

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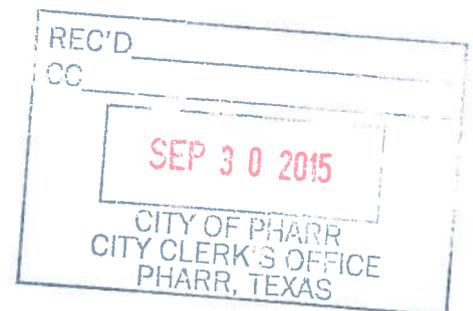
**ISSUE:** The City of Pharr received one bid for the sludge management service from Denali Water Solutions.

**FINANCIAL CONSIDERATION :** \$581.00 per roll off; \$792.00 per end dump trailer

**STAFF RECOMMENDATION:** The City of Pharr received one bid for the sludge management service for WTP/WWTP. Denali was the only bidder and staff is recommending approval for acceptance of their bid.

**ALTERNATIVES:**

THANK YOU



BID TABULATION SHEET

OWNER: CITY OF PHARR

PROJECT NAME: SLUDGE MANAGEMENT SERVICES FOR WTP

Bid No. 1415-02-582-0033

DATE: 9/30/2015 @2:00 PM

	NAME OF COMPANY	DESCRIPTION	UNIT PRICE	TOTAL
1	Denali Water Solutions	Sludge mgmt for WTP WWTP	\$581.00/Roll off \$792.00/End Dump Trailer	
2				
3				
4				
5				
6				
7				



Signature of Person Opening Bids

STAFF MEMBERS PRESENT

- 1 Imelda Barrera
- 2 Roche
- 3 Hsentia
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_
- 6 \_\_\_\_\_
- 7 \_\_\_\_\_

OTHERS PRESENT

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_
- 6 \_\_\_\_\_
- 7 \_\_\_\_\_

## MEMORANDUM

**DATE:** September 30, 2015

**TO:** Juan G Guerra, City Manager

**FROM:** Karla Moya, Finance Director

OK

**SUBJECT: OPEB GASB 45 ACTUARIAL VALUATION**

**ISSUE**

In June 2004, GASB approved statement number 45 mandating entities to record Other Post Employment Benefits (OPEB) in the City's financial statements as a Liability. The City has to contract for actuarial analysis of its current and retired employees in order to be able to identify its post-employment benefit liability.

**FINANCIAL CONSIDERATION**

\$9,500-\$10,450

**STAFF RECOMMENDATION**

I recommend that the Finance and Human Resources Department be authorized to work with The HayGroup for the OPEB liability analysis. This recommendation is made based on the ability to obtain a total cost, its location in Texas, and its work history with other Texas municipalities (McAllen, San Antonio, and Arlington).

REC'D  
CC

OCT - 1 2015

CITY OF PHARR  
CITY CLERK'S OFFICE

**ALTERNATIVES**

Due to the cost of the Consultant's analysis being over \$5,000, I contacted two actuarial firms to compare price and comparable services (I tried to contact a third but couldn't find one that provides service). The comparison is as follows:

Company	Headquartered Out of	Base Fee	Required Alternative Analysis Fee	Total Cost	Local Texas Entities Consulted
Milliman	Dallas, TX	\$ 10,500.00	\$ 1,000.00	\$ 11,500.00	Hidalgo County
HAY Group	Dallas, TX	\$ 9,500.00	\$ 950.00	\$ 10,450.00	McAllen

Please feel free to contact me should the need arise, I am at extension 1907.

THANK YOU

**MEMORANDUM**

**DATE:** September 30, 2015  
**TO:** Juan G Guerra, City Manager  
**FROM:** Karla Moya, Finance Director

 9/30/15

**SUBJECT: Cathy B. Jones Internal Auditor Contract Renewal**

**ISSUE**

Professional service contract for Ms. Cathy B. Jones, Internal Auditor has expired as of 9/21/15.

**FINANCIAL CONSIDERATION**

60 day term shall not exceed \$10,000, plus reimbursement of mileage and out of pocket costs.

**STAFF RECOMMENDATION**

I recommend that the professional services agreement for Ms. Cathy B Jones be renewed for an additional term. This recommendation is made based on the fact that she is still currently reviewing the City's inventory, purchasing, and internal controls.

**ALTERNATIVES**

N/A

Please feel free to contact me should the need arise, I am at extension 1907.

THANK YOU

## PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("**Agreement**") is entered into by and between the City of Pharr, a municipal corporation ("**City**"), and Cathy B. Jones CPA, CIA, CFE, CRMA ("**INDEPENDENT AUDITOR**") in accordance with the Texas laws. It is effective for all purposes upon adoption by the governing body and executed by all necessary parties.

### 1. SERVICES TO BE PERFORMED.

The governing body has determined to enter into this Agreement as the Independent Auditor has demonstrated the necessary competence and qualifications to perform the services at a fair and reasonable price.

The Independent Auditor agrees to provide professional internal auditing services to the City of Pharr as described in the attached proposal marked Exhibit A.

The parties agree performance of the work shall commence after execution upon authorization to proceed by the City Contract Administrator. The City Manager is designated as the Contract Administrator responsible for all phases of performance and operations under this Agreement, including authorizations for payment. All notices or communications regarding this Agreement shall be directed to the Contract Administrator.

**2. FEE FOR SERVICES.** The professional services of the Independent Auditor shall be billed at an hourly rate of \$75; however, the total cost for all services provided by the Independent Auditor and all expenses incurred by the Independent Auditor under this Agreement for each sixty (60) day term shall not exceed \$10,000 unless expressly authorized by written amendment to this Agreement. This is calculated by the commitment of Independent Auditor to work no more than twenty (20) hours a week which will be tracked in the Independent Auditor's billing system. Payments shall be made within thirty (30) days from receipt of invoice on a monthly basis. Other cost reimbursement includes all out-of-pocket costs for expenses such as business mileage at the IRS mileage reimbursement of \$.575 a mile, meetings, consulting, emails communication, telephone calls both local and long distance, photocopies, computer printouts, fax charges, and scans to complete each request for service.

**3. CITY DELIVABLES.** The City will provide to Independent Auditor all deliverables needed to perform the agreement as set forth in Exhibit B.

### 4. EFFECTIVE DATE, TERM, TERMINATION, RENEWAL.

- A. This agreement takes effect upon date of last signature.
- B. The term of this agreement is sixty (60) days from effective date unless sooner terminated in accordance with Subsection C
- C. The City or Independent Auditor may, at any time, with or without cause, terminate

this Agreement upon two (2) weeks written notice to the other party. In such event of termination without cause, City will be invoiced for the actual time and charges accumulated through the date of termination.

D. In the event of any conflicting terms between this Agreement and Independent Auditor's Proposal, the terms in this Agreement control.

L. This Agreement may be renewed for up to two subsequent sixty (60) day terms upon letter agreement of the parties.

**5. ASSIGNABILITY.** The Independent Auditor shall not assign, transfer, or delegate any obligations or duties in this Contract to any other person without the prior written consent of the Interim City Manager. The performance of this Agreement by Consultant is the essence of this Agreement and City's right to withhold consent to such assignment shall be within the sole discretion of the City on any grounds whatsoever.

**6. INDEPENDENT CONTRACTOR.** Independent Auditor shall perform all professional services as an independent contractor and shall furnish such services in its own manner and method, and under no circumstances or conditions shall an agent, servant, or employee of the Independent Auditor be considered an employee of the City. City shall provide Independent Auditor an onsite office to perform services and a computer or laptop that gives access to all city's financial systems, Internet access and has Microsoft Office Suite installed.

**7. SUBCONTRACTORS.** Independent Auditor may use subcontractors in connection with the work performed under this Agreement. When using subcontractors, however, Independent Auditor must obtain prior written approval from the Contract Administrator. In using subcontractors, Independent Auditor agrees to be responsible for all their acts and omissions to the same extent as if the subcontractor and its employees were employees of the Independent Auditor. All requirements set forth as part of this Agreement shall be applicable to all subcontractors and their employees to the same extent as if the Independent Auditor and its employees had performed the services.

**8. VENUE AND APPLICABLE LAW.** This Agreement shall be subject to all federal, state and local laws. All duties of the parties shall be performed in the City of Pharr, Texas. The applicable law for any legal disputes arising out of this Agreement shall be the law of Texas and such forum and venue for such disputes shall be the appropriate district, county, or justice court in and for Hidalgo County, Texas.

**9. WAIVER.** No waiver of any breach of any term, or condition of this Agreement, shall be construed to waive any subsequent breach of the same.

**10. INDEMNIFICATION.** Independent Auditor agrees to indemnify and save harmless City, its agents, servants, and employees, ("Indemnities"), officials, and insurers from any and all liabilities, losses, damages, or expenses, including attorney's fees resulting from the negligent acts or omissions of Independent Auditor, its employees, officers, agents or contractors, while in performance of this Agreement.



effect.

**18. PROPER NOTICE AND MEETING.** It is hereby officially found and determined that the meeting at which this instrument was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Discussion, however, may have

**EXECUTED IN DUPLICATE**, each of which shall be considered an original, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**CITY OF PHARR**

**By:** \_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**APPROVED BY**  
**CITY COMMISSION**  
**ON:** \_\_\_\_\_

occurred in a closed session on related legal matters as allowed by applicable laws.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015

INDEPENDENT AUDITOR: Cathy B. Jones CPA, CIA, CFE, CRMA

By: \_\_\_\_\_ Date: \_\_\_\_\_

## Exhibit A

**Independent Auditor's agreed upon internal audit procedures will be performed at a reasonable, yet cautious, timeframe which may require several contract period(s):**

Review inventory control procedures for all departments including fixed assets, tools and equipment and usable supplies that require restocking and give written recommendations to City Manager. Areas where policies are needed or modification is needed will be recommended.

- Review purchasing control operations ensuring compliance with State and Federal laws when required) and give written recommendations to City Manager. Areas where policies are needed or modification is required will be recommended.
- Perform an assessment of each major city departments' financial and operational control environment identifying weaknesses, inefficiencies, duplication of efforts and give written recommendations to City Manager.
- Identify potential sources of new revenue and areas where cost containment can be achieved for the city and give written recommendations to the City Manager.
- Review the city written financial policies and procedures on citywide processes as agreed upon such as timekeeping, payroll, human resources, cash handling & receipting, purchasing and contracting, procurement cards, travel & entertainment, disbursement processes and give written recommendations to City Manager. Identify areas where policies are needed or modification need to be made will be recommended.
- Any other action required. Notification of action will be in writing.

## Exhibit B

City agreed upon deliverables during contract period(s):

- Provide a secure office for Independent Auditor to perform her services during normal city business hours.
- Provide: a city computer or laptop with administrative access to financial, payroll and t4-nekeeping automated systems.
- Access to a city copier, printer and scanner needed while in performance of the Agreement.

E setup on the city's email system so as to have easy communication with the City Manager, Department Heads and city employees while in performance of this Agreement.

- Provide that the City IT department will provide any data files needed while in performance of this Agreement.
- Provide a City Manager Directive Letter to all Department Heads to cooperate with Independent Auditor allowing for open communication and :explanation, employee interviews, access and copies/scans of any and all 'financial or support records, management reports or sub-control systems deemed necessary by Independent Auditor to give independent and objective recommendations while in performance of the Agreement.

## MEMORANDUM

**DATE:** October 6, 2015

**TO:** Juan G. Guerra, City Manager

**FROM:** Ed Wylie, Asst. City Manager

A handwritten signature in blue ink, appearing to be "Ed Wylie", is written over the "TO:" and "FROM:" lines.

**SUBJECT: Schnieder Electric - Energy and Sustainability Services**

### ISSUE

In today's struggling economy every entity has to take advantage of economies of scale and position itself to remain sustainable and efficient for survival. It has become the corporate culture of Pharr and the social responsibility of all its employees to provide for the needs of our citizens in every way possible.

Lowering our electric bill and finding ways to save on energy and identify future opportunities to minimize our energy consumption is one our main goals. It allows us to free up energy for other need and minimizes the fiscal impact in order to divert finances to other areas of the City.

Schnieder Electric has approached the City of Pharr to conduct a Feasibility assessment to evaluate our current state of operations with the purpose of identifying opportunities to save on energy.

### FINANCIAL CONSIDERATION

The evaluation will be at NO cost to the City and we have no financial obligation to go beyond the evaluation.

### STAFF RECOMMENDATION

Staff is recommending approval of the item and allow the Administration Department be authorized to execute the Business Case Analysis Letter of Interest.

### ALTERNATIVES

Not to do the evaluation or find another company to do it.

Please feel free to contact me with any questions

THANK YOU



# Texas



## Schneider Electric services include:

- Capital needs assessments
- Utility audits
- Project design, development and construction
- Project financing
- Performance guarantees
- Remote monitoring and control
- Energy/Utility master planning



## Client Benefits:

- Guaranteed energy savings
- Guaranteed building performance
- Maximized energy efficiency
- Guaranteed project cost and scope
- Ongoing project support



## Worldwide Statistics

- \$30+ billion USD in sales in 2014
- Over 150,000 employees in more than 100 countries
- 32% of revenue in emerging countries



## Buildings Business Statistics

- 8 offices in TX – Dallas, Austin, San Antonio, Houston, Abilene, Lubbock, Corpus Christi, Weslaco
- 9 offices throughout the U.S.
- Employs over 8000 people

## Overview

Schneider Electric combines the best people in the industry with the latest energy-saving practices and technologies to upgrade aging equipment, reduce maintenance expenses, lower utility bills and improve building performance. Our service gives you the benefits of performance contracting with less of the risk. Benefits include utility conservation, modernized facilities, an improved working environment and a long-term relationship with a stable, growing company. We deliver customized solutions for our clients based on their needs. By working with Schneider Electric, you have a partner that provides one source for accountability, the most up-to-date techniques, and real, measurable savings.

We keep our promises. Long known as educators of our clients, Schneider Electric fully discloses savings verifications and methodology and critical aspects of the projects. Backed by our proven performance and our business integrity, we enable our clients to improve the comfort, safety, performance, and energy efficiency of their facilities. Our strong commitment to our clients ensures we have the highest customer satisfaction in the industry. We believe in establishing long-term relationships with our clients, and we know that cannot happen without trust.

Schneider Electric offers a project delivery method that allows our clients to fund facility improvements and implement energy conservation measures through long term strategic design, capitalizing on state and utility incentives and rebates.

## Company Profile

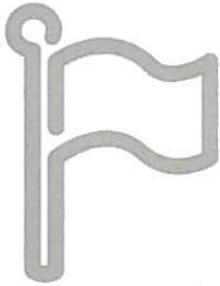
We help people make the most of their energy. We help individuals and organizations get more from their energy, be more productive and make their businesses more sustainable. The Buildings Business of Schneider Electric provides added value through building environment services for indoor climate, security and use of energy, delivered with advanced technology to end users and property owners throughout the world. We specialize in performance-based engineering and contracting resulting in energy efficiency and facility optimization.

Schneider Electric is the world leader in automation and electricity management. Through its world-class brands like Square D, TAC and Pelco, Schneider Electric anticipates and satisfies its clients' requirements in the residential, building, industry, energy and infrastructure markets. Schneider Electric has over 150,000 employees worldwide, operations in over 100 countries and recorded sales of \$31.3 billion USD in 2013.

Visit our website at <http://www.schneider-electric.com/buildings>



Make the most of your energy



#### Project Cost

Phase I: \$1,279,890

Phase II: \$636,504

#### Annual Project Savings

Phase I: \$121,015

Phase II: \$7,025



#### Utility Conservation Measures

- HVAC replacement- City Hall
- Facility lighting retrofit
- Street lighting retrofit
- LED signal light retrofit
- Energy management system
- Exit lighting retrofit



#### Contact Information

Daniel Serna,  
*Public Buildings Director*  
956-216-5301  
956-245-2051  
502 E. Tyler  
Harlingen, TX 78551

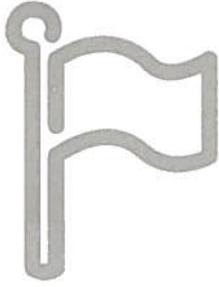


## City of Harlingen

### Harlingen, TX

#### Comprehensive Utility Conservation Project

After watching taxpayers vote down a bond that would have replaced the HVAC system at City Hall, the City of Harlingen looked to performance contracting as a way to pay for necessary improvements. By implementing a performance contract with Schneider Electric, the city was able to replace the HVAC system at City Hall, perform a LED signal light retrofit at seventy-four intersections, perform a street lighting retrofit, replace over 2,000 inefficient fluorescent ceiling lights, ballast and exit signs in eighteen city buildings, and implement an energy management system in fourteen facilities. The improvements were completely funded by energy savings. The city was attracted to performance contracting because it allowed the city to fund improvements without increasing the burden to taxpayers.



#### Project Cost

\$7,943,747

#### Annual Project Savings

\$217,727



#### Utility Conservation Measures

- Improvements to Aeration Basin & Aerobic Digester including new fine bubble diffusion grids
- Replacement of 750 hp of blowers and 400 hp of pumps
- Replacement of 3 old switchgear/MCC's with Square D switchgear
- HVAC Replacements
- Lighting Retrofit
- Energy Management System

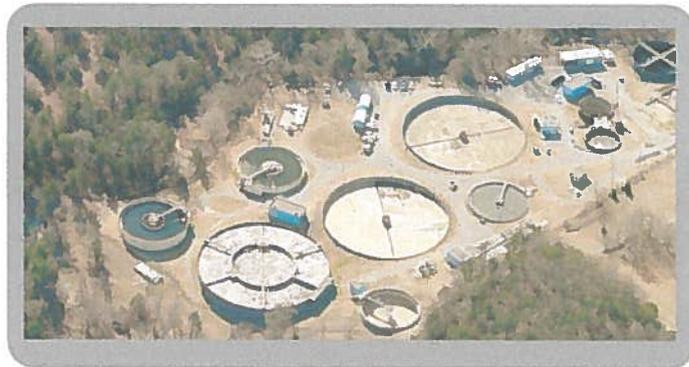


#### Contact Information

Robert Hanna  
City Manager

David Howerton  
Director of Public Works

903-465-2720  
500 W. Chestnut Street  
Denison, TX 75020



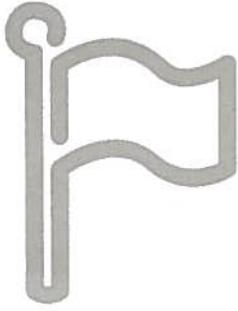
## City of Denison Denison, TX

### Comprehensive Utility Conservation Project

The City of Denison was in need of major upgrades to their water / wastewater treatment facilities as well as to various city buildings. Most of their equipment was far beyond the expected equipment life cycle, and the City needed a way to make the improvements without funding the upgrades entirely from their capital improvements budget. In addition, most equipment (particularly the wastewater treatment plant) was running 24/7 and had become a burden to the City's utility budget.

Schneider Electric's project development and engineering team worked with the City's preferred water / wastewater consulting engineer to design the upgrades for the City. Some of the infrastructure improvements needed to upgrade the plant were not energy savings measures. However, the performance contract model and guaranteed savings provided a way to pay for approximately half of the improvements while ensuring that the major plant upgrades will be efficient and sustainable.





**Project Cost**  
\$9.6 million

**Annual Project Savings**  
\$836,507

**Actual Savings to Date**  
Still in Installation Phase



#### Utility Conservation Measures

- Energy management system (EMS) installation
- EMS upgrades/recommissioning
- Chiller plant replacement
- HVAC replacements/upgrades
- Water conservation
- Lighting retrofits
- Lighting control



#### Contact Information

Issa Dadoush,  
General services director  
832-393-8021  
900 Bagby, 2nd floor  
Houston, TX 77002



## City of Houston Houston, TX

### Comprehensive Utility Conservation Project

Houston is taking the lead among major cities in reducing the energy consumption of city buildings and lowering greenhouse gas emissions as the first C40 city in the U.S. to announce a comprehensive building retrofit project under the Clinton Climate Initiative's Building Retrofit Program.<sup>1</sup>

For the first phase, the city of Houston selected Schneider Electric to perform energy audits on seven municipal buildings containing 1.2 million square feet. Schneider Electric will implement numerous utility conservation measures (UCMs) at these city facilities to improve the efficiency of the buildings, and the money saved in utility costs will pay for the upgrades. The retrofits Schneider Electric completes in a typical performance contract can lower energy use by 30 percent, so it is possible that the city of Houston could lower its carbon emissions by up to 1,647 tons, which is equal to taking 1,014 cars off the road.

Issa Dadoush, general services director for the city of Houston, said "...retrofitting our facilities with more energy-efficient products and technologies is an important way we can reduce both energy use and greenhouse gas emissions."

***"The City of Houston conducted a thorough search to find an ESCO that shared our objectives to find proactive solutions, use state-of-the-art equipment, and emphasize renewable energy sources and sustainability."***

Issa Dadoush, General services director  
City of Houston

<sup>1</sup> The Clinton Climate Initiative (CCI) was created to advance solutions to the issues driving climate change. The CCI Building Retrofit program brings together many of the world's largest cities, energy service firms and financial institutions in a landmark effort to reduce energy consumption in existing building.

# Re-energize Dallas County

In partnership with Schneider Electric

Dallas County and Schneider Electric have partnered to implement a countywide energy efficiency project, which will:

- Generate over \$73 million in savings over 20 years, enough to fund 100% of the project and put money back into the county's budget at no cost to taxpayers!
- Reduce utility costs by 31%
- Garner nearly \$500,000 in total collective utility rebates from utility companies and tax credits
- Educate the community about environmental conservation

An energy performance contract acts as a mini-stimulus. For example, a \$43M project can be expected to:

- Create over 400 jobs
- Drive an additional \$58M in business sales
- Generate \$2.3M in additional state and local taxes
- Lower operational costs – saving taxpayer money
- Address deferred maintenance in the buildings
- Give the County a positive cash flow that can be used on other initiatives

Project benefits:

- Budget-neutral approach to major facility improvements
- Making environment cleaner, healthier
- Shows energy and sustainability leadership in the region
- Making county buildings more comfortable for constituents

#### What you'll notice in county buildings:

- Lighting fixture retrofits
- Lighting occupancy sensors
- Mechanical upgrades
- Building automation upgrades
- Electrical upgrades
- Plumbing fixture retrofits
- PC power software updates

Once completed, the project will provide utility savings equivalent to:



Removing over **500,000 tons** of carbon dioxide from the atmosphere

OR



Removing **85,000 cars** from the roads

OR



Planting **125,000 acres** of new trees



Judge Clay Jenkins,  
Dallas County Judge

"Since we are trading the money we are spending on utilities to complete the work, our citizens are not burdened with a tax increase."

**City of Pharr**  
**BUSINESS CASE ANALYSIS LETTER OF INTEREST**

City of Pharr is interested in evaluating the current state of business operations with the purpose of identifying future opportunities for *enabling* the goals, mission and direction of the organization. This letter is to authorize Schneider Electric to proceed with a Business Case analysis at **no financial obligation** to the customer.

**SECTION 1:**

Customer agrees to provide the following:

- A) Complete access to facilities for Schneider Electric's Certified Energy Managers and Energy Analysts for the purpose of surveying types of equipment and operating characteristics;
- B) Necessary utility data, as requested;
- C) Access to personnel to discuss operating requirements; and
- D) Opportunities for customer representatives to meet with Schneider Electric for the review of the Business Case analysis.

**SECTION 2:**

Schneider Electric will provide the customer with the following:

- A) Identification of organization goals/ mission/ vision of City of Pharr;
- B) A current state operations analysis including potential cost savings estimates;
- C) Identification of potential solutions opportunities for advancing organizational goals;
- D) A financial analysis/ overview for savings and overall economic impact;
- E) A means for addressing public awareness and community engagement opportunities.

City of Pharr

**Schneider Electric Buildings Americas,  
Inc.**

By	_____	By	_____
	(Signature)		(Signature)
Print Name	_____	Print Name	Aaron Garcia
Title	_____	Title	Senior Account Executive
Date	_____	Date	_____

This letter is to be accepted until September 2016.





## MEMORANDUM

**DATE:** September 28, 2015  
**TO:** Juan G Guerra, City Manager  
**FROM:** Roy S. Garcia, Community Events Director

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**SUBJECT: In-House Restaurant Bid**

### ISSUE

The Boggus Ford Events Center is looking for an in-house restaurant for all ticketed events and non-ticketed events. We have opened this process for bid to the public and had a response of only one restaurant that being Costa Messa. They have already submitted their sealed bid and now need to come to decision for what best for both parties.

### FINANCIAL CONSIDERATION

Costa Messa paying the City \$20,000/ year in revenue for 3 years.

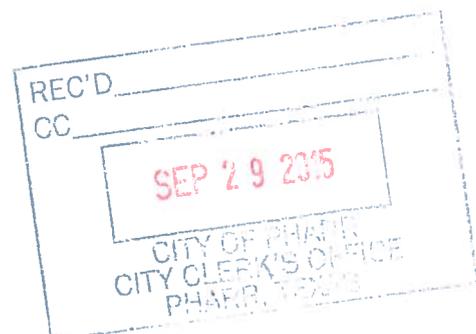
### STAFF RECOMMENDATION

I recommend that City makes Costa Messa the venue's in-house restaurant. They have produce an excellent track record in the past with our customers and staff. Costa Messa knows how the venue works and would be an easy transition for both parties.

### ALTERNATIVES

The venue proposes that the City would receive keep 10% from all catered events Costa Messa has at the venue.

If you need to contact me please feel free to do so at: Ext: 4504 or at 402-8395





**Proposal for the management of Food Restaurant @  
Boggus Ford Event's Center**

**To: Juan G. Guerra, City Manager, City of Pharr, TX**

**From: Christopher Acosta, owner, Costa Messa Restaurants**

At Costa Messa Restaurants, we take our business seriously and in turn, we try to provide the best service and the greatest food while providing our guests a great dining experience. We previously served as the tenants of the food restaurant area at the Pharr Event's Center from 2014-2015. In doing so, we provided the city of Pharr with \$20,000/ year in revenue for leasing the space. We have interest in teaming up with the City of Pharr once again for the next 3 years to provide patrons of the Boggus Ford Event Center with the same experience they've come to know and love from us. Our intentions are the following:

- \$20,000/yr in continued revenue toward the city of Pharr for lease of space
- We want exclusivity to any and all food related events at the Boggus Ford Event's Center
- We expect a \$2000 penalty in return for any event/function that chooses not to use Costa Messa and wants to bring in their own caterer
- Costa Messa will retain 100% of all food sold during ticketed concerts & events held at the Boggus Ford Event's Center
- Costa Messa would like the opportunity to use the Boggus Ford Event's Center once a year rent free on a date of their choice
- Costa Messa will offer catering discounts for city of Pharr events and functions
- Costa Messa expects their name/logo to be displayed and mentioned with all marketing promotions, posters, radio and tv play related to all events held at the Boggus Ford Event's Center

In closing, Costa Messa has had a great relationship working with the City of Pharr and would like to continue these next 3 years and grow as the city grows. Thank you for the consideration and we look forward to working with you. Thank you!

-Christopher Acosta

**MEMORANDUM**

**DATE:** October 2, 2015 

**TO:** Hilda Pedraza, City Clerk

**FROM:** Sergio Contreras, Interim Executive Director

**CC:** Juan Guerra, City Manager

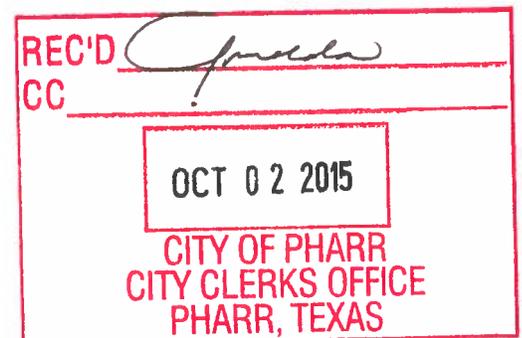
**SUBJECT: REQUEST TO PLACE ON AGENDA – Approval of Reimbursing Contract for Produce District Phase I Improvements**

This serves as a request to place the above referenced item on the City Commission Agenda. The approval will allow for reimbursements of the cost of the Water, Sanitary Sewer, Streets and Drainage Improvements for Pharr Produce District Phase I infrastructure.

In keeping with City policy, individuals who seek the extension of Water, Sanitary Sewer, Streets and Drainage Improvements on or adjacent to their property must advance the city the cost of construction thereof and any individual who wishes to utilize the improvements must participate in the original cost by reimbursing either the Developer within seven years of completion of those lines, or the CITY OF PHARR after that date.

If you have any questions or need additional information, please advise.

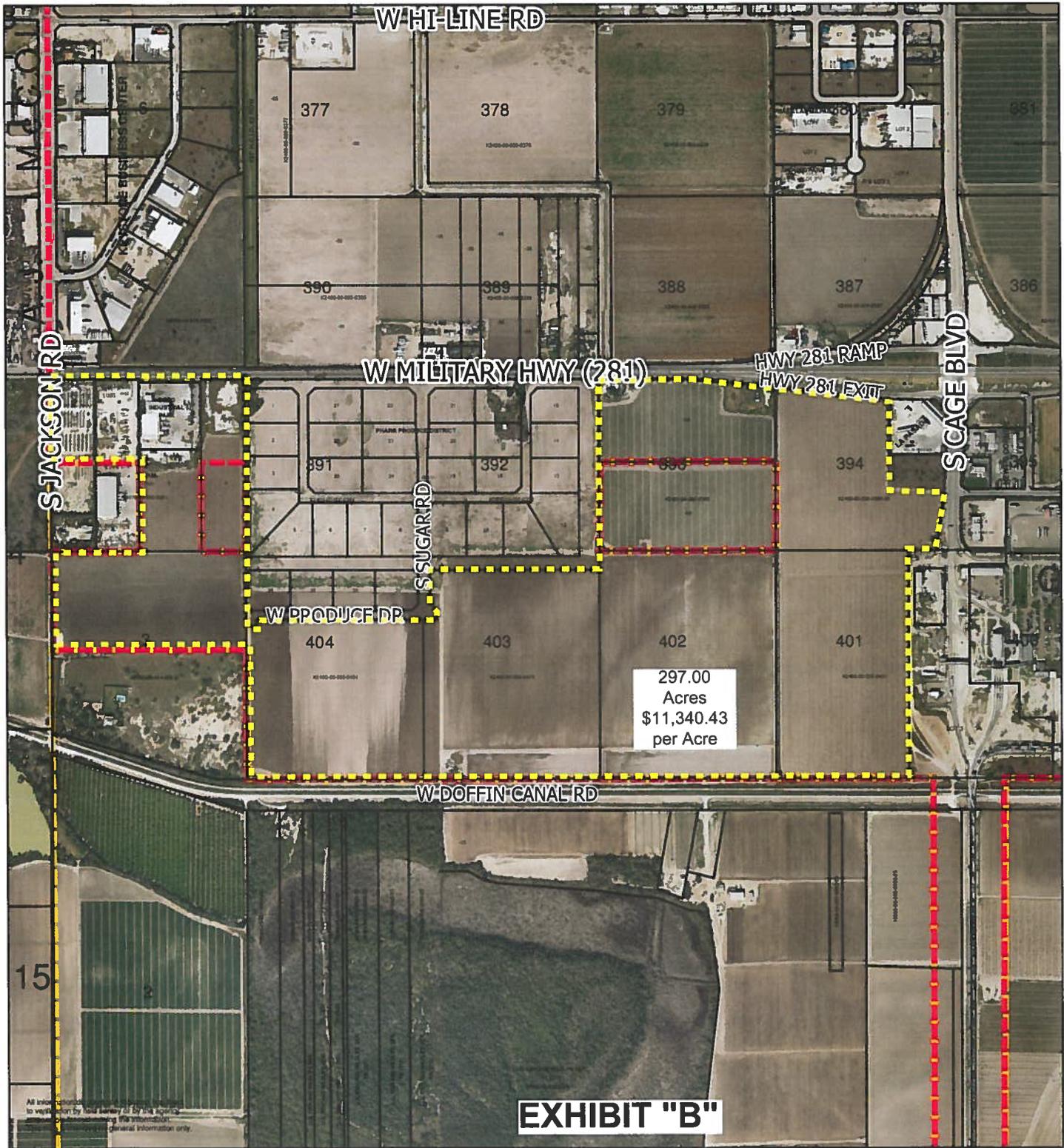
Thank you.



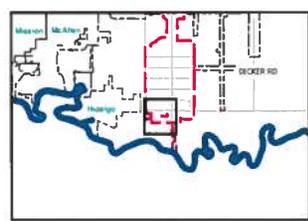
**Pharr Produce District Subdivision Phase I**  
**97.10 Acres**  
**Improvements Cost Summary**

Water Improvements (Off-Site)	\$	162,129.83	
Water Improvements (On-Site)	\$	653,451.55	
Sanitary Improvements	\$	886,502.81	
Drainage Improvements	\$	1,037,761.81	
Street Improvements	\$	<u>1,984,677.00</u>	
<b>Water, Sewer, Streets, Drainage</b> <b>Improvements</b>			\$ 4,724,523.00
Engineering	\$		344,461.00
Inspection	\$		60,000.00
Testing	\$		59,279.48
Magic Valley Electric	\$		302,845.65
AT&T	\$		12,072.24
TxDOT Sign Relocation	\$		<u>49,994.43</u>
<b>Total Improvements Cost</b>			<b>\$ 5,553,175.80</b>





 Pharr City Limit  
 Pharr ETJ  
 City of Pharr, Texas  
 Engineering Department  
 956.402.4242



FORM REIMBURSEMENT CONTRACT

STATE OF TEXAS

COUNTY OF HIDALGO

THIS CONTRACT, made and entered into by and between the CITY OF PHARR a Municipal Corporation, as authorized by Resolution of its Board of Commissioners, hereinafter called the CITY and Pharr Economic Development Corporation II, hereinafter called DEVELOPER.

WITNESSETH:

WHEREAS, DEVELOPER is the Developer of the following described property: Pharr Produce District Subdivision Phase 1 and has extended Water, Sanitary Sewer, Streets and Drainage Improvements as shown on a plan entitled Subdivision, Sheets 1 thru 23, by Javier Hinojosa Engineering dated 5-30-14 hereinafter called the IMPROVEMENTS, from its present terminus to the above-described property, as approved by the City Commission and/or Utility Board on \_\_\_\_\_ and

WHEREAS, the actual cost of such improvement and the amount to be paid therefore, respectively, by the CITY and DEVELOPER is shown on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, in keeping with City policy, individuals who seek the extension of Water, Sanitary Sewer, Streets and Drainage Improvements on or adjacent to their property must advance the cost of construction thereof, and any individual who wishes to utilize the improvements must participate in the original cost by reimbursing either the DEVELOPER within seven years of the completion of those lines, or the CITY OF PHARR after that date.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

DEVELOPER has installed improvements in the total amount of \$ 5,553,175.80 which improvements become property of the CITY.

WHEREAS, installation of the above described systems has been completed and is operational, and the CITY has approved its installation. The CITY promises and agrees to reimburse to the DEVELOPER, according to the schedule shown as Exhibit "B" attached hereto and made a part hereof, any pro rata share of the cost of the improvements that individual property owner pays upon approval of a subdivision plat, provided that the reimbursement occurs within ten (10) years of \_\_\_\_\_ the date of completion of the improvements. After that period of time, any reimbursed amounts will be retained by the City of Pharr to offset bookkeeping costs and maintenance of the CITY.

WITNESS OUR HANDS in duplicate originals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BY: \_\_\_\_\_  
CITY MANAGER

BY: \_\_\_\_\_  
DEVELOPER

ATTEST:

\_\_\_\_\_  
SECRETARY

# City of Pharr

## Cold Storage and Import Dock Second Amended Occupancy Agreement

WHEREAS, the City of Pharr, Texas and Pharr International Services, LLC desire to independently contract for the use of the import dock and lease of a G.S.A. cold storage facility; and

WHEREAS, the City of Pharr, Texas and Pharr International Services, LLC have decided to take steps in further guaranteeing that the terms are mutually agreeable to the parties.

This second amended occupancy agreement is hereby entered into by the following parties:

CITY OF PHARR (CITY)

and

PHARR INTERNATIONAL SERVICES, LLC. (PIS)

### A. AGREEMENT TERMS

The CITY and PIS hereby agree to this contract for the lease of an import dock with non-cold storage located in the general area located at 9900 S. Cage, Pharr, Texas 78577 and the area housing the cold storage facilities (built and owned by the City of Pharr) located on the Pharr International Bridge located at 9901 S. Cage, Pharr, TX 78577 (hereinafter "the premises"). PIS shall perform the following during the effective dates of the agreement:

ee

RE/PIS

\_\_\_\_\_  
AH

1. Provide all necessary personnel for operation and maintenance of the facilities, cooperate with the CITY's Bridge operations, and provide uniform treatment to all patrons or customers at the import dock and cold inspection facility;
2. Insure any and all facilities and contents as necessary to protect the value and replacement in case of damage. All supporting documents shall also be provided to CITY upon execution of this agreement and should changes result in the coverage or policy;
3. Maintain price controls on cold storage and refrigerated inspection services as determined by the Laredo, McAllen Anzalduas, Donna, and Pharr markets, currently defined as \$150.00 for palletized cargo and \$300.00 for un-palletized and fallen cargo, subject to an annual evaluation on or after September 1 of each year of the agreement, to be effective October 1 of each such year.

PIS shall further construct, at its own expense, a cold storage facility on the premises and shall have the exclusive use and the right to occupy said cold storage facility during the term(s) of this lease agreement.

**B. COMPENSATION.**

As rental consideration for utilities and access to the Import dock, storage and cold inspection facilities, and professional services, PIS shall compensate the CITY Seven Thousand and no/100ths Dollars (\$7000.00) per month. Rental payments on said lease agreement shall increase 10% every fifth year (*i.e.*, 10/1/20, 10/1/25, etc.). The amounts due shall be paid no later than the 10<sup>th</sup> day of each month. A five per cent (5%) late fee will be assessed if any portion of a rental payment is made after the tenth (10<sup>th</sup>) day of each month of the agreement. If PIS fails to make timely payment of its rental obligations or is otherwise in default of the terms of this agreement, the CITY will provide Notice of Default and allow PIS an opportunity to cure within thirty (30) days. Failure to pay all amounts due within thirty (30) days after notice shall result in termination of this agreement.



RE/PIS

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**C. TERM; TERMINATION OF CONTRACT.**

This contract will take effect on October 1, 2015, following approval of both parties and automatically terminate upon the earlier of: (1) September 30, 2030 (SUBJECT TO PARAGRAPH D BELOW); (2) expiration of the General Services Administration (G.S.A.) license or lease; (3) as otherwise terminated as indicated in this agreement; (4) upon mutual consent of both parties; or (5) upon PIS' failure to adhere to applicable laws, government regulations, or licenses. Upon expiration or termination of the agreement, the obligations of each of the respective parties shall cease immediately. Further, upon expiration or termination, use of the areas subject to this agreement including the dock, dock storage, and cold storage facility shall revert to CITY for its exclusive use. This lease agreement will continue in force and effect so long as the CITY maintains its license or lease with the U.S. Government's General Services Administration.

**D. RENEWAL OF CONTRACT; RIGHT OF REFUSAL.**

At the expiration of the initial term ending September 30, 2030, PIS shall have the option to extend the lease by one additional fifteen (15) year term. Thereafter, PIS shall have the right of first refusal for the continued use and enjoyment of the leased premises. PIS shall also have a right of first refusal on all cold storage space that may open in the Import Lot at the Bridge.

**E. MODIFICATION OF AGREEMENT.**

This document constitutes the entire agreement between the CITY and PIS and

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RE/PIS

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may be modified only by agreement of both parties. All modifications will be in the form of an amended written agreement. In the event produce truck traffic is diverted to other international bridges in the future, including the McAllen Anzalduas and Donna Bridges, PIS has the right to renegotiate the amount of the rental payment

**F. DEFAULT; CHOICE OF LAW; VENUE.**

If either party should default (the “Defaulting Party”) with respect to any of its obligations hereunder and should fail, within thirty (30) days after delivery of written notice of such default from the other party (the “Complaining Party”) to cure such default, the Complaining Party, by action or proceeding at law or in equity, may be awarded its damages and/or specific performance for such default including attorney’s fees as may be allowed pursuant to Section 271.153(3) of the Texas Local Government Code. A subsequent determination by a court of law of this State that any substantive portion of this Agreement is illegal or unenforceable shall not affect the remaining portions of this agreement. Texas law governs this agreement. Venue shall be in Hidalgo County, Texas.

**G. HOLD HARMLESS AND INDEMNIFICATION.**

PIS, its agents and employees agree to protect, defend, hold harmless and indemnify the CITY, any member of its departments, Board of Commissioners, its officers, employees and agents, from and against any all claims, actions, liabilities, costs, attorneys’ fees, judgment, liens, court orders, and damages brought by third parties

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RE/PIS

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related to the services provided by PIS and furthered by this agreement.

SIGNED on this the 30<sup>th</sup> day of September, 2015.

Pharr International Services, LLC.

By:   
Rigoberto Eguia, President

City of Pharr, Texas

By \_\_\_\_\_  
Ambrosio "Amos" Hernandez, Mayor

  
RE/PIS

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## **MEMORANDUM**

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**DATE:** September 30, 2015                      Date of Meeting: October 6, 2015

**TO:** Mayor and Commissioners

**THRU:** Juan G. Guerra, City Manager

**FROM:** Hilda Pedraza, City Clerk

**Agenda Item – Compromise, release and indemnity agreement with Pharr International Services**

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This item will be discussed in closed session.