



**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 5:00 P.M. ON  
TUESDAY, JUNE 16, 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. On matters requiring a public hearing, all persons desiring to speak during a public hearing shall sign in with the City Clerk no later than 5:00 p.m. or the close of business on the business day prior to the scheduled public hearing.*

**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)

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

- A) Update on lending and predatory lending institutions.
- B) City Engineer's Report
- C) Submission of monthly report – Pharr Municipal Court  
Municipal Court Presentation on Municipal Court Services
- D) Submission of May 2015 Tax Collection Report
- E) Submission of June 2015 Sales Tax Report
- F) City events of interest
- G) Legislative/Project Update

**3. CONSENT AGENDA:** *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

A) Approval of Minutes for May 12, 2015 – Regular-Special Called Meeting and May 19, 2015, Special Called Meeting.

B) Consideration and action, if any, authorizing Interim City Manager to advertise for Request for Qualifications for delinquent tax collection services.

C) Consideration and action, if any, on the abandonment of utility easement for property legally described as being the North 18.86 feet of the South 43.86 feet Roadway and Utility Easement located within Car-Mel Subdivision, according to the map or plat thereof recorded in Volume 25 Page 135B, H.C.M.R., Pharr, Hidalgo County, Texas. The property is physically located within the 1200 Block of West Polk Avenue.

D) Consideration and action on Planning & Zoning Cases:  
**Public Hearing**

1. Mario I. Ledezma, d/b/a La Frontera Bar, 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 Lots 4 and 5, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 5808 South Cage Boulevard. CUP#150431 **(Tabled Item)**

2. RGV Pizza Hut, LLC d/b/a Pizza Hut of Pharr, is requesting 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 North 256.0'-East 125.0' of Lot 1, Palm Heights Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 1001 West Highway 83. CUP#010519

3. Katy Swenson, representing Sprint (SA13XC479), has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on an existing tower in a Limited Industrial District (L-I). The property is legally described as .05 acres of land, more or less, out of Lot 379, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 600 Block of West Hi-Line Road. CUP#150433

4. Iglesia En El Valle Ministries, Inc., has filed with the Planning and Zoning Commission a request for a Special Use Permit to allow a 32 square foot wood pole sign in a Single-Family Residential District (R-1). The property is legally described as Lots 1, 2 and 3, Block 20, Hidalgo Park Estates Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 7505 South Steve Lane. CUP#150435

**REGULAR AGENDA – OPEN SESSION:**

**4. ORDINANCES AND RESOLUTIONS:**

- A) Consideration and action, if any, on Ordinance amending Ordinance No.O-2012-33 adopting the City of Pharr Purchasing Manual. (TABLED)
- B) Consideration and action, if any, on Ordinance designating the City of Pharr – TIF Reinvestment Zone #2. (TABLED)
- C) Consideration and action, if any, on Ordinance amending Ordinance No. O-2008-30 appointing a Criminal Prosecutor for the City of Pharr.
- D) Consideration and action, if any, on Resolution cancelling/rescheduling the City Commission Regular Meeting of July 7, 2015.
- E) Consideration and action, if any, on Resolution updating facsimile signatures for City of Pharr, Pharr Economic Development Corporation (PEDC) II, Community Development Block Grant (CDBG), seized assets, and PAL financial instruments.
- F) Consideration and action, if any, on Resolution designating the City of Pharr Public Funds Investment Officers.
- G) Consideration and action, if any, on Resolution appointing/re-appointing members to the Pharr-Reynosa International Toll Bridge Board.
- H) Consideration and action, if any, on Resolution appointing Assistant City Clerk (Unexpired Term).
- I) Consideration and action, if any, on Resolution appointing Stakeholders Group for "Your Vision! Pharr 2025 – Pharr Into the Future" Comprehensive Plan.
- J) Consideration and action, if any, on Resolution updating approved signature cards for City of Pharr bank accounts.
- K) Consideration and action, if any, on Resolution determining a public necessity to acquire certain real property; giving notice of an official determination to acquire real property for a public purpose; establishing procedures for the acquisition of market value for the property to be acquired; establishing fair market value for the property to be acquired; and directing the Interim City Manager or designee to communicate offers to owners for purchase of property, appropriate funds, and authorizing condemnation proceedings by City Attorney, contingent on available funding.

**5. ADMINISTRATIVE:**

- A) Consultation with the Board of Commissioners on the appointment of an Interim Finance Director and review of the city organization structure.
- B) Consultation with the Board of Commissioners on pending Personnel Action Forms.
- C) Consideration and action, if any, approving retirement and donation of City of Pharr Police K9.
- D) Consideration and action, if any, on sponsorship request by the Food Bank for the use of the Boggus Ford Events Center on September 29, 2015 from 11:00 a.m. to 1:30 p.m. for the Empty Bowls event.
- E) Consideration and action, if any, on request by Partner with AWARE-RGV and Perficietur to co-host Coding/Minecraft Game Day Palooza 2015 at the Jose "Pepe" Salinas Memorial Civic Center on Saturday, July 25, 2015 from 9:00 a.m. to 4:00 p.m.
- F) Consideration and action, if any, on designation of Chief Negotiator for Fire and Police collective bargaining agreements.

**6. PURCHASING:**

- A) Consideration and action, if any, authorizing purchase of police narcotic canine from Worldwide Canine Inc.
- B) Consideration and action, if any, awarding bid for bank depository services.

**7. CONTRACTS/AGREEMENTS:**

- A) Consideration and action, if any, on consulting agreement with TIF Services of South Texas (Lance Elliot) for a Tax Increment Financing (TIF) Reinvestment Zone #2.
- B) Consideration and action, if any, on Interlocal agreement between the City of Pharr and Pharr San Juan Alamo Independent School District for the Aquatic Center.
- C) Consideration and action, if any, authorizing Interim City Manager to negotiate and execute contract with Javier Hinojosa Engineering for engineering design services for Hi-Line Street Improvements from Cage Boulevard to Jackson Road.
- D) Consideration and action, if any, authorizing Interim City Manager to negotiate and execute contract with R. Gutierrez Engineering for engineering design services for Navarro Street improvements.

- E) Consideration and action, if any, authorizing Interim City Manager to negotiate and execute contract for design service with the Warren Group for the South Branch Training & Emergency Operation Center Building.
- F) Consideration and action, if any, authorizing Interim City Manager to negotiate and execute contract with Anthony Covacevich Consultant for the preparation of an environmental document for South Branch Training & Emergency Operation Center Building.
- G) Consideration and action, if any, authorizing an amendment to the Interlocal Cooperation Agreement with Hidalgo County for purchase of police emergency equipment by the City of Pharr Police Department under Operation Stonegarden Grant 2013.

**8. LEGAL:**

- A) Attorney consultation related to pending litigation styled and numbered, PUPSA, et al vs. City of Pharr and PPOA, et al, Cause No. Cause No. 2218-15-F (332<sup>nd</sup> Jud. Dist. Cr. – Hidalgo County, Texas)
- B) Attorney consultation relating to the City rights, duties, privileges and obligations arising under Chapter 174, Texas Local Gov't Code and the pending collective bargaining labor negotiations and related legal matters.

**9. 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 - 8 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 **Attorney consultation related to pending litigation styled and numbered, PUPSA, et al vs. City of Pharr and PPOA, et al, Cause No. Cause No. 2218-15-F (332<sup>nd</sup> Jud. Dist. Cr. – Hidalgo County, Texas); Attorney consultation relating to the City rights, duties, privileges and obligations arising under Chapter 174, Texas Local Gov't Code and the pending collective bargaining labor negotiations and related legal matters; 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.

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

**11. 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 [sonia.hinojosa@pharr-tx.gov](mailto:sonia.hinojosa@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 12<sup>th</sup> day of June 2015, at 7:00 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 12<sup>TH</sup> DAY OF JUNE 2015.

*Hilda Pedraza*  
HILDA PEDRAZA, TRMC  
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: \_\_\_\_\_

**City Engineer's Report  
June 16, 2015**

**Design Projects:**

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

Aldaña Engineering & Traffic Design has submitted 90% plans, specifications and estimate. Staff has reviewed them and provided comments to the Engineer.

**City of Pharr Bicycle Accessible Improvements**

Engineer has completed 90% of the design; 90% has been submitted to TxDOT for review. The environmental consultant is currently working on the environmental document for the project.

**City of Pharr Pedestrian Improvements Project – Ridge Road**

Plans and Specifications are about complete. Staff is working on final plan quantities and changes.

**International Trade Center – Bridge**

Architect has submitted 100% of construction plans. A meeting with staff was held to review 100% plans.

**Jones Box Park – Pedestrian Bridge**

Preliminary Engineering design is underway.

**Navarro Street Roadway & Drainage Improvements**

Engineering Design contract negotiation is on this meeting's agenda.

**Owassa Road**

Final stage of the Environmental document is underway. Resolution letter regarding the change to the posted speed limit is on the agenda and is required in order for TxDOT to release the FONSI. Final selection of pavement cross sections are underway and utility coordination with utility companies is ongoing.

**Construction Projects:**

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

Asphalt paving operations are almost complete on Central Capote Ave, from S. Cage Blvd to the DPS exit from the International Bridge and Toro Street. Paving on Austin Street from Highline Road to Lamar drive has been completed. Work on Capote Central east of DPS exit & Lamar Drive and Matador Drive is currently underway.

Contract Amount:	\$1,617,323.00
Current Expenditures:	\$ 682,902.00
Percent Completed:	41.10%

**East Anaya Road**

Public Works has begun work on the east portion of Anaya Road from Veterans Blvd to Mould Drive. Asphalt material has been removed and work on flexible material is underway.

Contract Amount:	\$179,152.65
Current Expenditures:	\$0
Percent Completed:	0%

### **Northside Park – Special Needs**

Contractor is currently working on the site grading; installation of the rubberized mat on the playground area has been completed. Descon has documented 54 rain days as of March 27, 2015.

Contract Amount:	\$708,150.00
Current Expenditures:	\$648,903.00
Percent Completed:	85%

### **Traffic Signal at Sugar & Sioux Road**

The drill shaft for the southwest corner pole and controller box foundation has been poured.

Contract Amount:	\$83,126.55
Current Expenditures:	\$1,235.00
Percent Completed:	1.56%

### **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:	\$0
Percent Completed:	0%



**Northside Park – Special Needs**



**Sugar & Sioux Road Traffic Signal**



**Capote Industrial Park Street Improvements –Capote Central (East of DPS exit)**



**Capote Industrial Park Street Improvements –Matador Drive**

PHARR MUNICIPAL COURT  
MONTHLY REPORT  
FISCAL YEAR OCTOBER 2014 THROUGH SEPTEMBER 2015  
MONTH OF: MAY 2015  
TOTAL REVENUE

	MONTH CURRENT	PRIOR YEAR	CURRENT	YEAR TO DATE PRIOR YEAR
FINES & ADM.				
ARREST(CITY)	\$ 93,157.37	\$ 70,767.21	\$ 793,442.23	\$ 701,826.73
STATE TAX	\$ 50,398.74	\$ 40,575.19	\$ 476,014.23	\$ 381,663.33
TECHNOLOGY	\$ 2,957.01	\$ 2,474.50	\$ 27,807.14	\$ 23,513.81
SECURITY	\$ 2,217.84	\$ 1,855.91	\$ 20,847.11	\$ 17,616.21
SEATBELT	\$ 413.00	\$ 190.75	\$ 1,859.32	\$ 2,138.81
JUVENILE CASE MANAGER	\$ 3,793.54	\$ 2,857.36	\$ 35,266.94	\$ 20,655.62
SCOFFLAW	\$ 140.00		\$ 1,060.00	
COLL. AGY	\$ 66.90	\$ 697.56	\$ 2,534.68	\$ 3,642.34
<b>TOTAL</b>	<b>\$ 153,144.40</b>	<b>\$ 119,418.48</b>	<b>\$ 1,358,831.65</b>	<b>\$ 1,151,056.85</b>

TRAFFIC:	MONTHLY	YEAR TO DATE
1. New Cases filed this month	1037	11,304
2. Disposition prior to trial:		
Fined	1302	9180
Cases Dismissed	115	959
3. Disposition at Trial		
Trial by Judge-Guilty:	4	26
Dismissed at Trial:	14	72
4. Cases Dismissed :		
a. After Drivers Safety Course	10	38
b. After Deffered Disposition	332	1408
c. After Proof of Fin. Respons.	14	204
d. & Compliance Dismissal	52	820
<b>Total Cases Heard</b>	<b>2,880</b>	<b>24,011</b>

**NON-TRAFFIC CASE DSIPOSITION(S):**

Cases cited this month	560	2602
Number of guilty pleas (T/S)	242	1979
Dismissed - Dismissed at Trial	0	9
Deferred Disposition	1	27
Released to Border Patrol	18	124
Transferred to MHMR/Detox Unit	0	0
Other(Animal Control/City Ord.)	19	128
Fined	6	24
Dismissed	19	113
<b>Total Cases Heard:</b>	<b>865</b>	<b>5006</b>

**MUNICIPAL COURT  
CASES ISSUED**

		<u>CITATIONS ISSUED</u>	<u>CITATIONS FINED</u>
OCTOBER	2012	941	749
NOVEMBER	2012	803	676
DECEMBER	2012	590	547
JANUARY	2013	685	632
FEBRUARY	2013	600	718
MARCH	2013	498	643
APRIL	2013	910	710
MAY	2013	1114	771
JUNE	2013	1443	812
JULY	2013	1449	1017
AUGUST	2013	949	834
SEPTEMBER	2013	690	513
<b>TOTAL</b>		<b>10672</b>	<b>8622</b>

OCTOBER	2013	1138	467
NOVEMBER	2013	1270	612
DECEMBER	2013	1430	565
JANUARY	2014	1565	631
FEBRUARY	2014	1227	1082
MARCH	2014	1301	1966
APRIL	2014	1301	1095
MAY	2014	1069	2483
JUNE	2014	814	1962
JULY	2014	896	1169
AUGUST	2014	973	945
SEPTEMBER	2014	980	942
<b>TOTAL</b>		<b>13,964</b>	<b>13919</b>

OCTOBER	2014	721	832
NOVEMBER	2014	499	821
DECEMBER	2014	970	745
JANUARY	2015	2087	1019
FEBRUARY	2015	2288	1075
MARCH	2015	2651	1843
APRIL	2015	1051	1543
MAY	2015	1037	1302
JUNE	2015		
JULY	2015		
AUGUST	2015		
SEPTEMBER	2015		
<b>TOTAL</b>		<b>11,304</b>	<b>9180</b>

**PABLO "PAUL" VILLARREAL JR., ASSESSOR & COLLECTOR**  
**CITY OF PHARR TAXES COLLECTED FOR:**  
**MAY 2015**

**COMPARATIVE RATE OF COLLECTIONS**

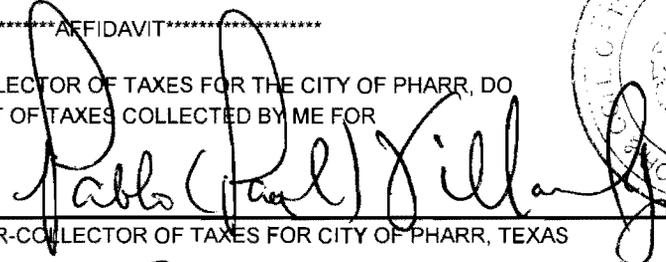
CITY OF PHARR CPR (33)	ORIGINAL TAX LEVY	COLLECTED TO DATE	DROPPED YRS AFTER PURGE	MODIF. TO DATE	TAXES OUTSTANDING	PERCENT 2014/2015	COLLECTED 2013/2014
2014 TAX ROLL	16,044,972.57	15,041,848.88	-	158,508.97	1,161,632.66	92.83%	92.69%
2013 & PRIOR YRS ROLLBACK	2,413,349.92	497,403.85	-	(29,068.17)	1,886,877.90	20.86%	19.45%
	-	-	-	-	-	#DIV/0!	63.65%
<b>TOTALS</b>	<b>18,458,322.49</b>	<b>15,539,252.73</b>	<b>-</b>	<b>129,440.80</b>	<b>3,048,510.56</b>		

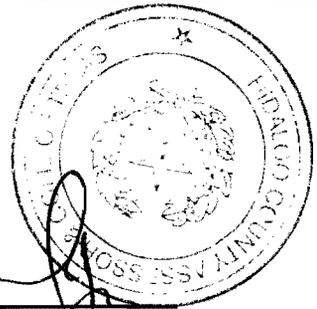
**BREAKDOWN OF TAX COLLECTIONS AND FEES FOR THE MONTH OF MAY 2015**

	CITY OF PHARR	MONTHLY MODIFICATIONS
CURRENT YEAR-BASE TAX	214,689.83	3,869.91 CURRENT
CURRENT YEAR-P&I	22,560.09	
PRIOR YEARS-BASE TAX	53,955.28	(911.43) PRIOR
PRIOR YEARS-P&I	22,487.47	
ROLLBACK	-	- ROLLBACK
ROLLBACK P&I	-	
ATTORNEY FEES	12,047.38	
<b>TOTAL COLLECTIONS</b>	<b>325,740.05</b>	<b>2,958.48</b>
LESS TRANSFERRED	235,713.95	
LESS IN TRANSIT	84,498.71	
LESS DUE TO HCAD COMM. FEE	14.39	
LESS DUE TO CO TREASURER	5,513.00	
<b>BALANCE</b>	<b>-</b>	

\*\*\*\*\*AFFIDAVIT\*\*\*\*\*

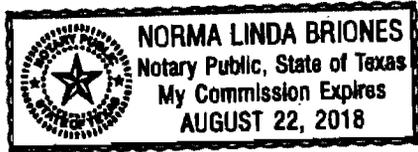
I, PABLO "PAUL" VILLARREAL JR., ASSESSOR-COLLECTOR OF TAXES FOR THE CITY OF PHARR, DO SOLEMNLY SWEAR THAT THE ABOVE STATEMENT OF TAXES COLLECTED BY ME FOR THE MONTH OF MAY 2015 IS CORRECT.

  
 ASSESSOR-COLLECTOR OF TAXES FOR CITY OF PHARR, TEXAS



SWORN AND SUBSCRIBED BEFORE ME THIS 8TH DAY OF JUNE 2015 A.D.

  
 NOTARY PUBLIC, HIDALGO COUNTY, TEXAS



**City of Pharr**  
**Sales Total Tax Analysis (2%) - Cash Basis**

								<b>Difference</b>
	<b>FY 08/09</b>	<b>FY 09/10</b>	<b>FY 10/11</b>	<b>FY 11/12</b>	<b>FY 12/13</b>	<b>FY 13/14</b>	<b>FY 14/15</b>	<b>FY 14/15 - FY 13/14</b>
<b>MONTH</b>								
OCT.	\$ 929,360	\$ 759,706	\$ 859,104	\$ 954,528	\$ 1,095,758	\$ 1,095,399	1,175,133	\$ 79,734
NOV.	966,454	853,469	934,857	1,025,682	1,009,747	1,064,491	1,272,920	208,429
DEC.	1,031,223	713,001	884,556	914,194	1,065,676	1,151,064	1,255,599	104,534
JAN.	845,773	709,734	849,909	929,064	1,065,003	1,166,651	1,231,604	64,952
FEB.	897,043	884,137	1,029,775	1,214,454	1,132,199	1,301,266	1,403,486	102,220
MAR.	880,930	764,227	811,325	959,178	1,014,839	1,090,660	1,244,493	153,833
APR.	827,859	867,908	857,093	979,239	1,033,280	1,120,837	1,195,832	74,994
MAY	982,711	1,015,352	1,091,964	1,250,746	1,207,076	1,332,207	1,457,421	125,214
JUN.	872,035	847,624	925,577	1,098,232	1,075,570	1,239,819	1,424,397	184,578
JUL.	813,224	840,234	881,787	1,142,386	1,087,853	1,239,026		
AUG.	976,485	989,186	1,065,228	1,226,816	1,203,458	1,284,104		
SEP.	817,638	863,996	960,373	1,131,188	1,034,174	1,183,373		
<b>TOTAL</b>	<b>\$ 10,840,735</b>	<b>\$ 10,108,574</b>	<b>\$ 11,151,549</b>	<b>\$ 12,825,707</b>	<b>\$ 13,024,633</b>	<b>\$ 14,268,899</b>	<b>\$ 11,660,883</b>	<b>\$ 1,098,488</b>
<b>AVERAGE PER MONTH</b>								
	\$ 903,395	\$ 842,381	\$ 929,296	\$ 1,068,809	\$ 1,085,386	\$ 1,189,075	\$ 1,295,654	
<b>INCREASE/(DECREASE) IN SALES TAX COLLECTION</b>								
		\$ (732,161)	\$ 1,042,975	\$ 1,674,158	\$ 198,926	\$ 1,244,265	\$ 1,098,488	
<b>INCREASE FROM PREVIOUS YEAR</b>								
		-6.75%	10.32%	15.01%	1.55%	9.55%	10.40%	
<b>BUDGET VS. ACTUAL VARIANCE ANALYSIS</b>								
	<b>Budget - YTD</b>	\$ 9,767,333	\$ 9,955,067	\$ 11,598,933	\$ 13,443,500	\$ 13,443,500	\$ 14,980,000	
	<b>Bud vs. Actual</b>	\$ 341,241	\$ 1,196,482	\$ 1,226,774	\$ (418,867)	\$ 825,399	\$ (3,319,117)	
	<b>% Difference</b>		10.73%	9.56%	-3.22%	5.78%	-28.46%	
<i>*NOT including \$500,000 audit adjustment in Mar 2011</i>								

City of Pharr								
Sales Tax Analysis - City & Prop Tax Relief (1.5%) - Cash Basis								
								Difference
	FY 08/09	FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 14/15 - FY 13/14
MONTH								
OCT.	\$ 697,020	\$ 569,780	\$ 644,328	\$ 715,896	\$ 821,818	\$ 821,549	\$ 881,349	\$ 59,800
NOV.	724,840	640,102	701,143	769,262	757,310	798,368	\$ 954,690	\$ 156,321
DEC.	773,417	534,751	663,417	685,645	799,257	863,298	\$ 941,699	\$ 78,401
JAN.	634,330	532,300	637,432	696,798	798,752	874,989	\$ 923,703	\$ 48,714
FEB.	672,782	663,103	772,331	910,841	849,149	975,950	\$ 1,052,615	76,665
MAR.	660,698	573,170	608,494	719,383	761,129	817,995	\$ 933,370	115,375
APR.	620,894	650,931	642,820	734,429	774,960	840,628	\$ 896,874	56,246
MAY	737,033	761,514	818,973	938,060	905,307	999,155	\$ 1,093,066	93,910
JUN.	654,026	635,718	694,182	823,674	806,678	929,864	\$ 1,068,297	138,433
JUL.	609,918	630,175	661,340	856,789	815,890	929,270		
AUG.	732,364	741,889	798,921	920,112	902,594	963,078		
SEP.	613,229	647,997	720,280	848,391	775,630	887,530		
<b>TOTAL</b>	<b>\$ 8,130,552</b>	<b>\$ 7,581,430</b>	<b>\$ 8,363,662</b>	<b>\$ 9,619,280</b>	<b>\$ 9,768,475</b>	<b>\$ 10,701,674</b>	<b>\$ 8,745,662</b>	<b>\$ 823,866</b>
<b>AVERAGE PER MONTH</b>								
	\$ 677,546	\$ 631,786	\$ 696,972	\$ 801,607	\$ 814,040	\$ 891,806	\$ 971,740	
<b>INCREASE/(DECREASE) IN SALES TAX COLLECTION</b>								
		\$ (549,121)	\$ 782,231	\$ 1,255,619	\$ 149,195	\$ 933,199	\$ 823,866	
<b>INCREASE FROM PREVIOUS YEAR</b>								
		-6.75%	10.32%	15.01%	1.55%	9.55%	10.40%	
<b>BUDGET VS. ACTUAL VARIANCE ANALYSIS</b>								
<b>Budget - YTD</b>	\$ 7,325,500	\$ 7,466,300	\$ 8,699,200	\$ 10,082,625	\$ 10,082,625	\$ 11,235,000		
<b>Bud vs. Actual</b>	\$ 255,930	\$ 897,362	\$ 920,080	\$ (314,150)	\$ 619,049	\$ (2,489,338)		
<b>% Difference</b>	3.38%	10.73%	9.56%	-3.22%	5.78%	-28.46%		
<i>*NOT including \$500,000 audit adjustment in Mar 2011</i>								

**City of Pharr**  
**Annual Sales Tax Activity Analysis FY 14/15 - GAAP Basis**

**Regular City Tax (1%)**

	<u>FY 14/15</u>	<u>FY 13/14</u>	<u>\$ Change</u>	<u>% Change</u>
October	\$ 627,799.50	\$ 575,532.10	\$ 52,267.40	9.08%
November	615,801.85	583,325.69	32,476.16	5.57%
December	701,743.00	650,633.14	51,109.86	7.86%
January	622,246.61	545,330.03	76,916.59	14.10%
February	597,915.87	560,418.71	37,497.17	6.69%
March	728,710.40	666,113.53	62,596.88	9.40%
April	712,148.33	619,909.50	92,238.83	14.88%
May	0.00	619,513.00		
June	0.00	642,052.07		
July	0.00	591,686.70		
August	0.00	587,566.25		
September	0.00	636,459.96		
Totals	\$ 4,606,365.56	\$ 7,278,540.65	\$ 405,102.88	9.64%

**Credit In Lieu of Property Tax (.5%)**

	<u>FY 14/15</u>	<u>FY 13/14</u>	<u>\$ Change</u>	<u>% Change</u>
October	\$ 313,899.75	\$ 287,766.05	\$ 26,133.70	9.08%
November	307,900.92	291,662.84	16,238.08	5.57%
December	350,871.50	325,316.57	25,554.93	7.86%
January	311,123.31	272,665.01	38,458.29	14.10%
February	298,957.94	280,209.35	18,748.58	6.69%
March	364,355.20	333,056.76	31,298.44	9.40%
April	356,074.17	309,954.75	46,119.42	14.88%
May	0.00	309,756.50		
June	0.00	321,026.04		
July	0.00	295,843.35		
August	0.00	293,783.13		
September	0.00	318,229.98		
Totals	\$ 2,303,182.78	\$ 3,639,270.32	\$ 202,551.44	9.64%

**PEDC (.5%)**

	<u>FY 14/15</u>	<u>FY 13/14</u>	<u>\$ Change</u>	<u>% Change</u>
October	\$ 313,899.75	\$ 287,766.05	\$ 26,133.70	9.08%
November	307,900.92	291,662.84	16,238.08	5.57%
December	350,871.50	325,316.57	25,554.93	7.86%
January	311,123.31	272,665.01	38,458.29	14.10%
February	298,957.94	280,209.35	18,748.58	6.69%
March	364,355.20	333,056.76	31,298.44	9.40%
April	356,074.17	309,954.75	46,119.42	14.88%
May	0.00	309,756.50		
June	0.00	321,026.04		
July	0.00	295,843.35		
August	0.00	293,783.13		
September	0.00	318,229.98		
Totals	\$ 2,303,182.78	\$ 3,639,270.32	\$ 202,551.44	9.64%

**Total Sales Tax (2%)**

	<u>FY 14/15</u>	<u>FY 13/14</u>	<u>\$ Change</u>	<u>FY 14/15 Budget</u>
October	\$ 1,255,599.00	\$ 1,151,064.20	\$ 104,534.80	\$ 1,248,333.33

November	1,231,603.69	1,166,651.37	64,952.32	1,248,333.33
December	1,403,486.00	1,301,266.27	102,219.73	1,248,333.33
January	1,244,493.22	1,090,660.05	153,833.17	1,248,333.33
February	1,195,831.74	1,120,837.41	74,994.33	1,248,333.33
March	1,457,420.80	1,332,227.05	125,193.75	1,248,333.33
April	1,424,296.66	1,239,819.00	184,477.66	1,248,333.33
May	-	1,239,026.00		
June	-	1,284,104.14		
July	-	1,183,373.39		
August	-	1,175,132.50		
September	-	1,272,919.91		
<b>Totals</b>	<b>\$ 9,212,731.11</b>	<b>\$ 14,557,081.29</b>	<b>\$ 810,205.76</b>	<b>\$ 8,738,333.33</b>
			9.64%	

**FY 13/14 Cum Change**

\$ 52,267.40  
84,743.56  
135,853.43  
212,770.01  
250,267.18  
312,864.05  
405,102.88

**FY 13/14 Cum Change**

\$ 26,133.70  
42,371.78  
67,926.71  
106,385.01  
125,133.59  
156,432.03  
202,551.44

**FY 13/14 Cum Change**

\$ 26,133.70  
42,371.78  
67,926.71  
106,385.01  
125,133.59  
156,432.03  
202,551.44

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**Actual vs. Budget**

\$ 7,265.67

(16,729.64)  
155,152.67  
(3,840.11)  
(52,501.59)  
209,087.47  
175,963.33

3.17%

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\$ **474,397.78** Total  
355,798.33 City Portion

## SALES TAX STATE COLLECTION RGV COMPARISON -JUNE 2015

Valley Rank	City	Net Payment This Period	Payment Prior Year	% Change	2015 Payments To Date	2014 Payments To Date	% Change
<b>Rank Based on Current Month Activity</b>							
<b>1</b>	<b>Pharr</b>	<b>1,424,396.56</b>	<b>1,239,818.57</b>	<b>14.89%</b>	<b>7,957,232.36</b>	<b>7,251,460.72</b>	<b>9.73%</b>
2	Edinburg	1,582,767.61	1,515,235.89	4.46%	10,186,165.26	9,544,069.69	6.73%
3	Harlingen	1,761,804.49	1,705,190.61	3.32%	11,239,063.95	11,005,078.46	2.13%
4	Brownsville	2,854,152.11	2,947,823.07	-3.18%	18,506,057.98	17,998,733.27	2.82%
5	San Juan	280,026.83	290,175.74	-3.50%	1,674,106.74	1,619,711.35	3.36%
6	Weslaco	924,081.21	961,718.22	-3.91%	1,674,106.74	1,619,711.35	3.36%
7	McAllen	4,779,422.77	5,060,901.86	-5.56%	32,965,628.63	32,545,258.32	1.29%
8	Mission	1,176,249.19	1,294,797.04	-9.16%	7,691,663.99	8,026,885.95	-4.18%
9	Alamo	258,279.07	289,977.54	-10.93%	1,810,316.55	1,877,093.40	-3.56%
10	Mercedes	517,419.64	693,529.35	-25.39%	4,091,447.52	4,160,901.76	-1.67%

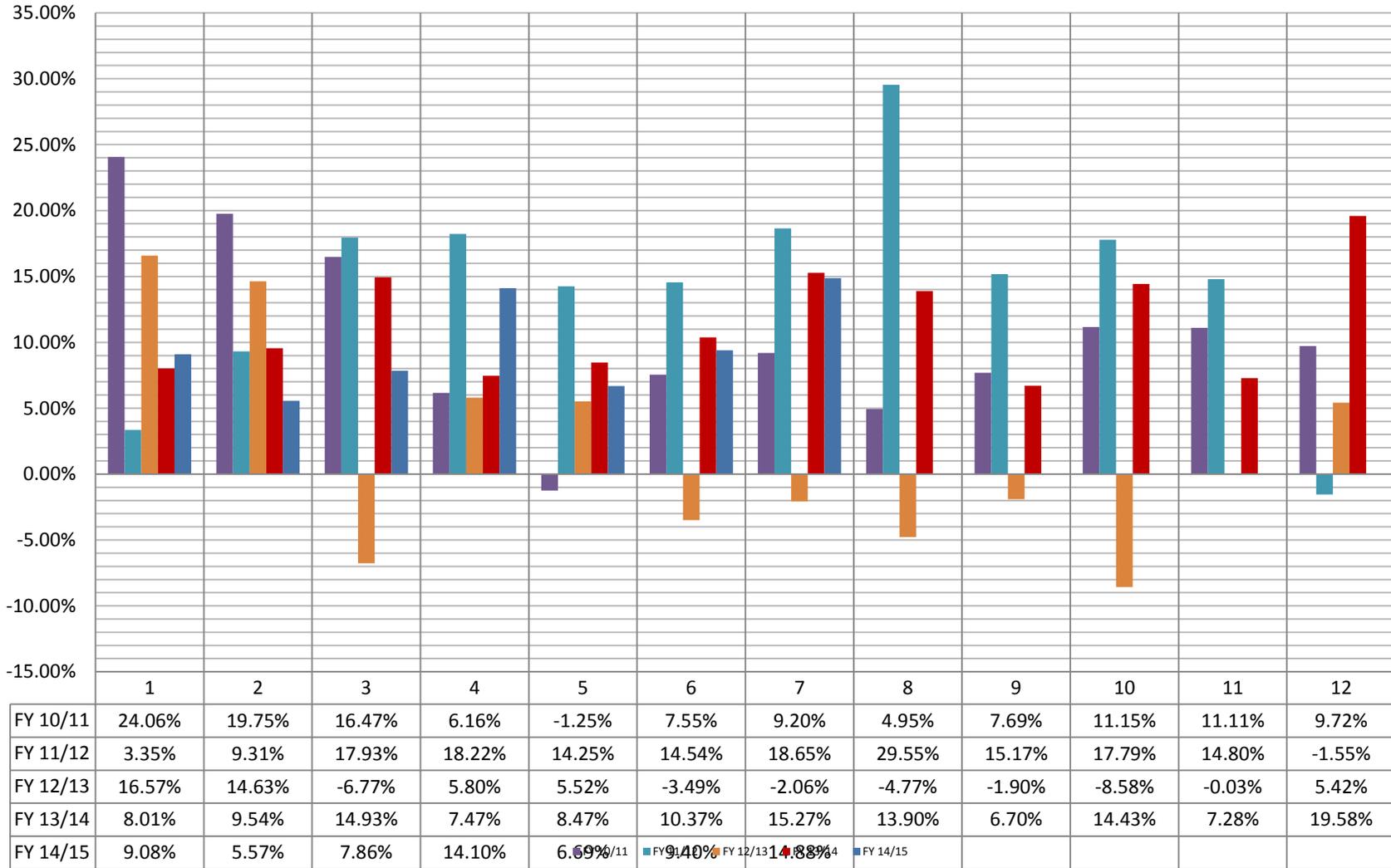
<b>Rank Based on Calendar Year 2015 To Date Activity</b>							
<b>1</b>	<b>Pharr</b>	<b>1,424,396.56</b>	<b>1,239,818.57</b>	<b>14.89%</b>	<b>7,957,232.36</b>	<b>7,251,460.72</b>	<b>9.73%</b>
2	Edinburg	1,582,767.61	1,515,235.89	4.46%	10,186,165.26	9,544,069.69	6.73%
3	San Juan	280,026.83	290,175.74	-3.50%	1,674,106.74	1,619,711.35	3.36%
4	Weslaco	924,081.21	961,718.22	-3.91%	1,674,106.74	1,619,711.35	3.36%
5	Brownsville	2,854,152.11	2,947,823.07	-3.18%	18,506,057.98	17,998,733.27	2.82%
6	Harlingen	1,761,804.49	1,705,190.61	3.32%	11,239,063.95	11,005,078.46	2.13%
7	McAllen	4,779,422.77	5,060,901.86	-5.56%	32,965,628.63	32,545,258.32	1.29%
8	Mercedes	517,419.64	693,529.35	-25.39%	4,091,447.52	4,160,901.76	-1.67%
9	Alamo	258,279.07	289,977.54	-10.93%	1,810,316.55	1,877,093.40	-3.56%
10	Mission	1,176,249.19	1,294,797.04	-9.16%	7,691,663.99	8,026,885.95	-4.18%

<b>HIDALGO COUNTY</b>	<b>11,880,630.13</b>	<b>12,112,848.14</b>	<b>-1.95%</b>	<b>78,267,122.71</b>	<b>75,944,099.20</b>	<b>2.97%</b>
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<b>STATE TOTALS</b>	<b>409,490,384.25</b>	<b>404,579,927.39</b>	<b>1.20%</b>	<b>2,635,027,183.00</b>	<b>2,499,429,720.16</b>	<b>5.15%</b>
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**CITY OF PHARR  
SALES TAX 5 YEAR TREND ANALYSIS**

**Chart Title**



**City of Pharr**  
**Annual Sales Tax Activity Analysis FY 13/14- GAAP Basis**

**Regular City Tax (1%)**

	<u>FY 13/14</u>	<u>FY 12/13</u>	<u>\$ Change</u>	<u>% Change</u>	<u>FY 12/13 Cum Change</u>
October	\$ 575,532.10	\$ 532,838.03	\$ 42,694.07	8.01%	\$ 42,694.07
November	583,325.69	532,501.58	50,824.11	9.54%	93,518.18
December	650,633.14	566,099.42	84,533.72	14.93%	178,051.90
January	545,330.03	507,419.45	37,910.58	7.47%	215,962.48
February	560,418.71	516,640.11	43,778.59	8.47%	259,741.07
March	666,113.53	603,537.88	62,575.65	10.37%	322,316.72
April	619,909.50	537,785.19	82,124.31	15.27%	404,441.03
May	619,513.00	543,926.65	75,586.36	13.90%	480,027.38
June	642,052.07	601,729.22	40,322.85	6.70%	520,350.24
July	591,686.70	517,086.83	74,599.86	14.43%	594,950.10
August	587,566.25	547,699.43	39,866.82	7.28%	634,816.93
September	636,459.96	532,245.66	104,214.30	19.58%	739,031.22
<b>Totals</b>	<b>\$ 7,278,540.65</b>	<b>\$ 6,539,509.43</b>	<b>\$ 739,031.22</b>	<b>11.30%</b>	

**Credit In Lieu of Property Tax (.5%)**

	<u>FY 13/14</u>	<u>FY 12/13</u>	<u>\$ Change</u>	<u>% Change</u>	<u>FY 12/13 Cum Change</u>
October	\$ 287,766.05	\$ 266,419.01	\$ 21,347.04	8.01%	\$ 21,347.04
November	291,662.84	266,250.79	25,412.05	9.54%	46,759.09
December	325,316.57	283,049.71	42,266.86	14.93%	89,025.95
January	272,665.01	253,709.73	18,955.29	7.47%	107,981.24
February	280,209.35	258,320.06	21,889.30	8.47%	129,870.54
March	333,056.76	301,768.94	31,287.82	10.37%	161,158.36
April	309,954.75	268,892.60	41,062.16	15.27%	202,220.51
May	309,756.50	271,963.32	37,793.18	13.90%	240,013.69
June	321,026.04	300,864.61	20,161.43	6.70%	260,175.12
July	295,843.35	258,543.42	37,299.93	14.43%	297,475.05
August	293,783.13	273,849.71	19,933.41	7.28%	317,408.46
September	318,229.98	266,122.83	52,107.15	19.58%	369,515.61
<b>Totals</b>	<b>\$ 3,639,270.32</b>	<b>\$ 3,269,754.71</b>	<b>\$ 369,515.61</b>	<b>11.30%</b>	

**PEDC (.5%)**

	<u>FY 13/14</u>	<u>FY 12/13</u>	<u>\$ Change</u>	<u>% Change</u>	<u>FY 12/13 Cum Change</u>
October	\$ 287,766.05	\$ 266,419.01	\$ 21,347.04	8.01%	\$ 21,347.04
November	291,662.84	266,250.79	25,412.05	9.54%	46,759.09
December	325,316.57	283,049.71	42,266.86	14.93%	89,025.95
January	272,665.01	253,709.73	18,955.29	7.47%	107,981.24
February	280,209.35	258,320.06	21,889.30	8.47%	129,870.54
March	333,056.76	301,768.94	31,287.82	10.37%	161,158.36
April	309,954.75	268,892.60	41,062.16	15.27%	202,220.51
May	309,756.50	271,963.32	37,793.18	13.90%	240,013.69
June	321,026.04	300,864.61	20,161.43	6.70%	260,175.12
July	295,843.35	258,543.42	37,299.93	14.43%	297,475.05
August	293,783.13	273,849.71	19,933.41	7.28%	317,408.46
September	318,229.98	266,122.83	52,107.15	19.58%	369,515.61
<b>Totals</b>	<b>\$ 3,639,270.32</b>	<b>\$ 3,269,754.71</b>	<b>\$ 369,515.61</b>	<b>11.30%</b>	

**Total Sales Tax (2%)**

	<u>FY 13/14</u>	<u>FY 12/13</u>	<u>\$ Change</u>	<u>FY 13/14 Budget</u>	<u>Actual vs. Budget</u>
October	\$ 1,151,064.20	\$ 1,065,676.05	\$ 85,388.15	\$ 1,120,291.67	\$ 30,772.53
November	1,166,651.37	1,065,003.16	101,648.21	1,120,291.67	46,359.70
December	1,301,266.27	1,132,198.83	169,067.44	1,120,291.67	180,974.60
January	1,090,660.05	1,014,838.90	75,821.15	1,120,291.67	(29,631.62)
February	1,120,837.41	1,033,280.22	87,557.19	1,120,291.67	545.74
March	1,332,227.05	1,207,075.76	125,151.29	1,120,291.67	211,935.38
April	1,239,819.00	1,075,570.38	164,248.62	1,120,291.67	119,527.33
May	1,239,026.00	1,087,853.29	151,172.71	1,120,291.67	118,734.33
June	1,284,104.14	1,203,458.43	80,645.71	1,120,291.67	163,812.47
July	1,183,373.39	1,034,173.66	149,199.73	1,120,291.67	63,081.72
August	1,175,132.50	1,095,398.85	79,733.65	1,120,291.67	54,840.83
September	1,272,919.91	1,064,491.32	208,428.59	1,120,291.67	152,628.24
<b>Totals</b>	<b>\$ 14,557,081.29</b>	<b>\$ 13,079,018.85</b>	<b>\$ 1,478,062.44</b>	<b>\$ 13,443,500.00</b>	<b>\$ 1,113,581.29</b>

**City of Pharr**  
**Annual Sales Tax Activity Analysis FY 12/13 - GAAP Basis**

**Regular City Tax (1%)**

	<u>FY 12/13</u>	<u>FY 11/12</u>	<u>\$ Change</u>	<u>% Change</u>	<u>FY 12/13 Cum Change</u>
October	\$ 532,838.03	\$ 457,096.97	\$ 75,741.06	16.57%	\$ 75,741.06
November	532,501.58	464,532.23	67,969.35	14.63%	143,710.41
December	566,099.42	607,227.03	(41,127.61)	-6.77%	102,582.79
January	507,419.45	479,588.80	27,830.65	5.80%	130,413.44
February	516,640.11	489,619.52	27,020.59	5.52%	157,434.04
March	603,537.88	625,373.10	(21,835.22)	-3.49%	135,598.82
April	537,785.19	549,115.89	(11,330.70)	-2.06%	124,268.12
May	543,926.65	571,192.93	(27,266.29)	-4.77%	97,001.84
June	601,729.22	613,408.23	(11,679.01)	-1.90%	85,322.83
July	517,086.83	565,593.77	(48,506.94)	-8.58%	36,815.89
August	547,699.43	547,878.92	(179.49)	-0.03%	36,636.40
September	532,245.66	504,873.35	27,372.31	5.42%	64,008.71
<b>Totals</b>	<b>\$ 6,539,509.43</b>	<b>\$ 6,475,500.72</b>	<b>\$ 64,008.71</b>	<b>0.99%</b>	

**Credit In Lieu of Property Tax (.5%)**

	<u>FY 12/13</u>	<u>FY 11/12</u>	<u>\$ Change</u>	<u>% Change</u>	<u>FY 12/13 Cum Change</u>
October	\$ 266,419.01	\$ 228,548.49	\$ 37,870.53	16.57%	\$ 37,870.53
November	266,250.79	232,266.12	33,984.68	14.63%	71,855.20
December	283,049.71	303,613.52	(20,563.81)	-6.77%	51,291.40
January	253,709.73	239,794.40	13,915.33	5.80%	65,206.72
February	258,320.06	244,809.76	13,510.30	5.52%	78,717.02
March	301,768.94	312,686.55	(10,917.61)	-3.49%	67,799.41
April	268,892.60	274,557.94	(5,665.35)	-2.06%	62,134.06
May	271,963.32	285,596.47	(13,633.14)	-4.77%	48,500.92
June	300,864.61	306,704.11	(5,839.51)	-1.90%	42,661.41
July	258,543.42	282,796.88	(24,253.47)	-8.58%	18,407.95
August	273,849.71	273,939.46	(89.75)	-0.03%	18,318.20
September	266,122.83	252,436.68	13,686.16	5.42%	32,004.35
<b>Totals</b>	<b>\$ 3,269,754.71</b>	<b>\$ 3,237,750.36</b>	<b>\$ 32,004.35</b>	<b>0.99%</b>	

**PEDC (.5%)**

	<u>FY 12/13</u>	<u>FY 11/12</u>	<u>\$ Change</u>	<u>% Change</u>	<u>FY 12/13 Cum Change</u>
October	\$ 266,419.01	\$ 228,548.49	\$ 37,870.53	16.57%	\$ 37,870.53
November	266,250.79	232,266.12	33,984.68	14.63%	71,855.20
December	283,049.71	303,613.52	(20,563.81)	-6.77%	51,291.40
January	253,709.73	239,794.40	13,915.33	5.80%	65,206.72
February	258,320.06	244,809.76	13,510.30	5.52%	78,717.02
March	301,768.94	312,686.55	(10,917.61)	-3.49%	67,799.41
April	268,892.60	274,557.94	(5,665.35)	-2.06%	62,134.06
May	271,963.32	285,596.47	(13,633.14)	-4.77%	48,500.92
June	300,864.61	306,704.11	(5,839.51)	-1.90%	42,661.41
July	258,543.42	282,796.88	(24,253.47)	-8.58%	18,407.95
August	273,849.71	273,939.46	(89.75)	-0.03%	18,318.20
September	266,122.83	252,436.68	13,686.16	5.42%	32,004.35
<b>Totals</b>	<b>\$ 3,269,754.71</b>	<b>\$ 3,237,750.36</b>	<b>\$ 32,004.35</b>	<b>0.99%</b>	

**Total Sales Tax (2%)**

	<u>FY 12/13</u>	<u>FY 11/12</u>	<u>\$ Change</u>	<u>FY 12/13 Budget</u>	<u>Actual vs. Budget</u>
October	\$ 1,065,676.05	\$ 914,193.94	\$ 151,482.11	\$ 1,120,291.67	\$ (54,615.62)
November	1,065,003.16	929,064.46	135,938.70	1,120,291.67	(55,288.51)
December	1,132,198.83	1,214,454.06	(82,255.23)	1,120,291.67	11,907.16
January	1,014,838.90	959,177.60	55,661.30	1,120,291.67	(105,452.77)
February	1,033,280.22	979,239.03	54,041.19	1,120,291.67	(87,011.45)
March	1,207,075.76	1,250,746.20	(43,670.44)	1,120,291.67	86,784.09
April	1,075,570.38	1,098,231.77	(22,661.39)	1,120,291.67	(44,721.29)
May	1,087,853.29	1,142,385.86	(54,532.57)	1,120,291.67	(32,438.38)
June	1,203,458.43	1,226,816.45	(23,358.02)	1,120,291.67	83,166.76
July	1,034,173.66	1,131,187.53	(97,013.87)	1,120,291.67	(86,118.01)
August	1,095,398.85	1,095,757.84	(358.99)	1,120,291.67	(24,892.82)
September	1,064,491.32	1,009,746.70	54,744.62	1,120,291.67	(55,800.35)
<b>Totals</b>	<b>\$ 13,079,018.85</b>	<b>\$ 12,951,001.44</b>	<b>\$ 128,017.41</b>	<b>\$ 13,443,500.00</b>	<b>\$ (364,481.15)</b>

**MINUTES  
BOARD OF COMMISSIONERS  
REGULAR-SPECIAL CALLED MEETING  
TUESDAY, MAY 12, 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-Special Called Meeting on Tuesday, May 12, 2015 and following is the record of attendance.

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

**BOARD OF COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Fred Sandoval, City Manager  
David Garza, Asst. City Mgr./Utilities Dir.  
Hilda Pedraza, City Clerk  
Javier Rodriguez, C.D. Director  
Karla Moya, Assistant Finance Director  
Ruben Villescas, Police Chief  
Jaime Guzman, Fire Chief  
Frank Marin, Parks & Recreation Dir.  
Roy Garcia, Public Works Director  
Fred Brouwen, Director of Operations  
Edward Wylie, Pharr Dev. Services Dir.  
Adolfo Garcia, Library Director  
Raul Garza, Admin. Services Director  
Gary Rodriguez, Public Information Officer  
Jason Arms, I.T. Director  
Roel Garza, Athletics Director  
Roy S. Garcia, Boggus Ford Events Center  
Tony Sandoval, EDC Asst. Director  
Sergio Contreras, External Affairs Dir.

**CITY ATTORNEY  
CITY ENGINEER**

Michael Pruneda, City Attorney  
Bill Ueckert, City Engineer

**ITEM 1 CALL TO ORDER:**

Mayor Palacios called the meeting to order at 5:03 p.m. Roll Call established a quorum.

**A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY  
ABSENT MEMBER OF THE GOVERNING BODY**

All present.

**B) PLEDGE OF ALLEGIANCE / INVOCATION**

Judge Martinez led in the pledge of allegiance and said the prayer.

**ITEM 2 CITY MANAGER'S REPORTS:**

- A) City Engineer's Report
- B) Presentation of 2<sup>nd</sup> Quarterly Report for FY2014-2015
- C) City Events of Interest
- D) Legislative/Project Update

Mayor Palacios introduced the item.

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

Comm. Elizondo asked if streets were still being re-done as to the priority list established by the city.

Bill Ueckert, City Engineer, stated Anaya Road was the only street remaining to be upgraded and would be done by Public Works.

Mayor Palacios asked for a status of the street entrance at the Produce Park.

Bill Ueckert, City Engineer, stated he had been in contact with the contractor and had scheduled a meeting this week to meet with him. He stated the contractor plans to commence construction next week to complete the entrance at the Produce Park.

Comm. Cortez asked for a status on Sugar Road and Egly Street.

Bill Ueckert, City Engineer, reported the project bid had been awarded to Garco Construction for the drainage improvements. He stated he was waiting for the contracts with the bonds to be submitted to issue the notice to proceed. He added the Pharr Housing Authority would be constructing the drainage ditch, the pond, and would be using the same contractor.

Fred Sandoval, City Manager, reported the second quarterly report was in their packets and stated taxes were up by 9%.

Sergio Contreras, External Affairs Director, briefed the board on two bills of importance to the City of Pharr. He reported on the Ag Bill which helps the City offset the overtime paid to Customs and Border Protection to help reduce border wait time and filed by Senator Lucio and Representative Guerra. He added this bill, if passed, would

offset the city cost by paying for half of the amount since it is a matching grant. He reported on House Bill 2515, filed by Representative Munoz Jr., has passed both the House and the Senate which helps designate a portion near the port of entry for a foreign trade zone. He added it would need federal approval and could take up to a year for its passage. He reported on House Bill 1887, filed by Representative Munoz, which helps establish the statute for the Regional Law Enforcement for Excellence Training in Pharr. He stated another bill the city wishes to be a part of is the Bill for Border Security, filed by Senator Lucio. He stated this Bill appoints a Mayor of each municipality to be part of this trade group and added there were approximately three weeks for the session to end.

Comm. Elizondo thanked Mayor Palacios and the City Commissioners for their time and service given to the community and looks forward to working with the new members of the Commission.

Fred Sandoval, City Manager, stated the Canvassing and swearing in would take place next Tuesday, May 19, 2015 with the Regular scheduled meeting to follow.

Mayor Palacios stated he had stated serving the city since 1984 and thanked the his wife and the community for supporting him in his 31 years of service with the City Commission and helping the community grow. He added even though he will no longer be Mayor, he will continue to serve his fellow man at his personal place of business. He added he wished he could continue to serve but his family has convinced him to let go.

Comm. Cortez informed the community and staff that he came on board with the Planning and Zoning Commission in 2004 and served for two (2) years. He stated he was elected as a commissioner in 2006 and has served for nine (9) years. He thanked each and every employee and the administration for all their help and for what they have done in cleaning graffiti from the city, reduction in gang problems and for the growth in businesses and for all the accomplishments. He wished the City the best for the future and for the new administration coming in and that they continue to work with the employees. He thanked everyone for their support given to him and his family for the last nine (9) years.

Comm. Garza thanked his wife and family, all his supporters and the administration stating he was not originally from Pharr but was asked to join this commission in 2010 and he could not have done it alone. He stated he will always be thankful for the support he received and knows he is leaving this community in a better place than before. He added he would like to encourage everyone to work together to make the city a better place for the future and asked the leaders to look above and beyond and find common ground for the betterment of the city.

Mayor Pro-Tem Farias stated he was not originally from Pharr but has lived here for many years and his children grew up here. He added he has been involved with the community for many years and has seen how it has transformed into something everyone can be proud of. He stated the transformation did not happen by itself but by the work of the city employees, the commission and all the people making the effort to make this community better. He stated he stands for making the community better and

is proud of what the community has become and there is still room for more good things to happen. He asked that everyone work together and thanked everyone them for his nine (9) years of service and thanked everyone on behalf of himself and his family for being patient, service and commitment to make Pharr better.

Fred Sandoval, City Manager, thanked the Mayor and Commissioners on behalf of himself, Assistant City Manager, Department Heads and employees for their service. He stated this would be his eighteenth (18<sup>th</sup>) year of employment with the City of Pharr and stated it has been a privilege and honor to work with Mayor Palacios, Comm. Cortez, Comm. Garza and Comm. Farias and looks forward to working the new Mayor and Commissioners to continue making Pharr better.

**ITEM 3 CONSENT AGENDA:** *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

**A) APPROVAL OF MINUTES FOR April 7, 2015 – REGULAR CALLED MEETING**

**B) CONSIDERATION AND ACTION, IF ANY, ON CHANGE ORDER #2 IN THE TOTAL DEDUCTION AMOUNT OF \$19,892.29 AND 25 CALENDAR DAYS DEDUCTION FOR THE SINGLE MACHINE REPAVING PROJECT 1ST YEAR PROGRAM**

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

**PUBLIC HEARING**

1. Aurelio Cadena, d/b/a Tejas 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 11, Maco Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1308 Maco Drive. CUP#970325
2. Red Tape VI, represented by Mr. Ramiro Armendariz, d/b/a Stiletto's Gentlemen's Club, requested renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lot 2, Albrad Subdivision Unit #3 Pharr, Hidalgo County, Texas. The property's physical address is 1050 North Sugar Road. CUP#110537
3. R.G.V. & Associates, d/b/a Kids Kastle Event Center, 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 200, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6719 South Jackson Road. CUP#110321
4. Oscar Barrera, d/b/a Texas Theater Ballroom, requested renewal of the Conditional

Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). The property is legally described as Lots 10-12 and N11.5' of Lot 13, Block 1, J.T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 115 East Newcomb (Park) Avenue. CUP#080419

5. Abraham Macias, representing Iglesia Tu Libertador, requested a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C). The property is legally described as 0.02 acres out of Lot 2, El Chaparral Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 East Highway 83, Suite G.
6. Martin Santos, d/b/a Stormy Colors Bar and Grill, 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 0.10 acres out of Lots 15-19, Bustamante Subdivision Unit No. 2, Pharr, Hidalgo County, Texas. The property's physical address is 802 East IH-2, Suite H and I.
7. Mario I. Ledezma, d/b/a La Frontera Bar, 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 Lots 4 and 5, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5808 South Cage Boulevard.
8. Juan F. Garza, d/b/a Muelle 37, has filed with the Planning and Zoning Commission a request for a 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 being a 0.073 acre tract of land, more or less, out of Lot 2, Browning Commercial Area Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 North Cage Boulevard. CUP#150325
9. Israel Velasquez, d/b/a The Practice Tee Driving Range of South Texas, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 0.060 acre tract of land, more or less, out of Lot 7 and 8, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1100 West Nolana. CUP#150426
10. Rosa Dina, representing Larki, LLC., 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 General Business District (C). The property is legally described as being a 3.42 acre tract of land out of Lot 8, Block 4 A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1200 and 1300 Block of West Minnesota Road. COZ#150427

Mayor Palacios introduced items 3A (1) through 3C (10).

Fred Sandoval, City Manager, stated he had received a request to remove item 3C (7) from the consent agenda.

Comm. Elizondo **moved** to remove item 3C (7) from the consent agenda to be discussed separately. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Mayor Palacios opened the public hearing and called upon Jose J. and Maria Luna and San Juanita Hernandez.

Edward Wylie, Director of Development Services, stated Jose J. and Maria Luna and San Juanita Hernandez had signed up to speak on item 3C (7) and were unable to attend tonight's meeting.

Kenneth Fletcher voiced his opinion on item 3C (10) stating he was in favor of adding more roof tops and new businesses which can be taxed which helps keep city taxes low. He stated there is an assisted living facility next to the proposed business and requested that all ordinances be followed especially concerning lighting and nuisances.

There being no other public comments, the public hearing was closed.

Comm. Carrillo **moved** to approve items 3C (1); 3C (2); 3C (3); 3C (4); 3C (5); 3C (6); 3C (8); 3C (9) and 3C (10) under the consent agenda. Comm. Farias seconded the motion and when put to a vote, it carried unanimously.

Comm. Cortez **moved** to table item 3C (7). Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2015-25 is filed with the City Clerk's Office.

#### **REGULAR AGENDA – OPEN SESSION:**

#### **ITEM 4 ORDINANCES AND RESOLUTIONS:**

##### **A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO.O-2012-33 ADOPTING THE CITY OF PHARR PURCHASING MANUAL**

Fred Sandoval, City Manager, introduced the item and stated no action would be taken at this time.

##### **B) CONSIDERATION AND ACTION, IF ANY, on Ordinance DESIGNATING THE CITY OF PHARR – TIF REINVESTMENT ZONE #2 (TABLED)**

Fred Sandoval, City Manager, introduced the item and stated no action would be taken at this time.

**C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING  
ORDINANCE NO.O-2013-25 PARKS AND RECREATION  
DEPARTMENT AQUATIC CENTER FEES**

Fred Sandoval, City Manager, introduced the item.

Frank Marin, Director of Parks and Recreation, recommended that the aquatic center fees be adjusted to increase participation during the week and generate more revenues. He stated the weekend fees would remain the same and went over the proposed changes.

Comm. Elizondo asked how the reductions were being based.

Frank Marin, Director of Parks and Recreation, stated it was difficult to gage but the Aquatic Center could not be compared to Schlitterban but it was not a regular municipal water park either. He explained the first year the fees were too low where excessive attendance was experienced and patrons were getting ill while waiting in line. He added fees were increased for the attendance during the week and the attendance were drastically reduced, therefore now he is trying to gage it the best that he can to balance the attendance for the entire week.

Comm. Maldonado asked when the aquatic center would open and how it would be promoted.

Frank Marin, Director of Parks and Recreation, announced the pool would be opened to the public on Saturday, May 30, 2015 and flyers would be distributed to all the schools with the new rates and will also be promote on the city's channel.

Fred Sandoval, City Manager recommended the ordinance be approved on first and final reading due to the short time given prior to the opening of the Aquatic Center.

Comm. Carrillo moved to approve the ordinance on first and final reading. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2015-26 is filed with the City Clerk's Office.

**D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION  
AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT WITH  
THE COUNTY OF HIDALGO FOR THE IMPLEMENTATION AND  
ENFORCEMENT OF A PROGRAM RELATED TO MARKING MOTOR  
VEHICLE REGISTRATIONS AND OTHER RECORDS FOR VIOLATORS  
(SCOFFLAW)**

Fred Sandoval, City Manager, introduced the item and stated no action would be taken at this time.

**E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) MEMBER TO THE COMMUNITY DEVELOPMENT COUNCIL CENSUS TRACT 215**

Fred Sandoval, City Manager, introduced the item.

Mayor Palacios asked what area was included in census tract 215.

Javier Rodriguez, CDBG Director, stated the member needed to reside in the area between Bell and Business 83 and between Veteran's Boulevard ("I" Road) to Sugar Road. He stated the member needed was to fill in the vacancy left by the resignation of Israel Cantu.

After a brief discussion, no action was taken on this item.

**F) CONSIDERATION AND ACTION, IF ANY, RATIFYING RESOLUTION AUTHORIZING PSJA SCHOOL DISTRICT IN PARTNERSHIP WITH THE CITY OF PHARR TO SUBMIT A GRANT APPLICATION TO THE HIDALGO COUNTY METROPOLITAN PLANNING ORGANIZATION-TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FOR A SHARED USE PATHWAY PROJECT**

Fred Sandoval, City Manager, introduced the item and stated this was being done in conjunction with PSJA and needed to be ratified. He further recommended approval.

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

Resolution No. R-2015-26 is filed with the City Clerk's Office.

At this time Fred Sandoval, City Manager, stated they would deviate from the agenda and discuss item 5A. There was no objection.

**ITEM 5 ADMINISTRATIVE:**

**A) CONSIDERATION AND ACTION, IF ANY, ON BIDS RECEIVED ON STRUCK-OFF PROPERTIES DESCRIBED AS LOTS 7 AND 8, BLOCK 135, HUISACHE SUBDIVISION OF LOT "C", CITY OF PHARR; 1.33 ACRES, MORE OR LESS, OUT OF THE SOUTH 5.00 ACRES OF THE EAST 15.00 ACRES OF LOT 73, KELLY-PHARR SUBDIVISION; 1.25 ACRES, MORE OR LESS, OUT OF THE SOUTH 5.00 ACRES OUT OF THE EAST 15.00 ACRES OF LOT 73, KELLY-PHARR SUBDIVISION; LOT 16, BLOCK 1, EVANS SUBDIVISION, A RE-SUBDIVISION OF THE SOUTH 470 FEET OF LOT 316 OF THE KELLY-PHARR SUBDIVISION OF PORCIONES 69 AND 70; LOT 32, BLOCK 83, HACKBERRY SUBDIVISION, AN ADDITION TO THE CITY OF PHARR; LOT 54,**

**BLOCK 7, HIDALGO PARK ADDITION; LOT 10, BLOCK 5, CASA BLANCA SUBDIVISION, AN ADDITION TO THE CITY OF PHARR**

Fred Sandoval, City Manager, introduced the item.

Kelly Salazar, Linebarger Goggan Blair and Sampson, went over the bids received for the tax resale held on February 3, 2015. She stated twenty-two (22) previously struck-off properties had been placed for resale in Hidalgo County of which seven (7) properties were located in the City of Pharr. She added all seven properties received bids and if all entities accept the bids the pro-rata share for the city would total \$31,000 in revenues for the City of Pharr.

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

**ITEM 4 G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPROVING THE BIDS RECEIVED ON TAX RESALE PROPERTIES ON FEBRUARY 3, 2015**

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

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

Resolution No. R-2015-27 is filed with the City Clerk's Office.

**ITEM 5 B) PRESENTATION BY LINEBARGER GOGGAN BLAIR AND SAMPSON, LLP ON SECOND QUARTER DELINQUENT PROPERTY TAX COLLECTION REPORT FOR THE REPORTING PERIOD OF JANUARY 1, 2015 THROUGH MARCH 31, 2015**

Fred Sandoval, City Manager, introduced the item.

Kelly Salazar, Linebarger Goggan Blair and Sampson, presented the Second Quarter Delinquent Tax Collection Report and reported two mailings totaling 2,593 accounts had been sent out and over 852 taxpayer calls had been received. She stated 107 pay off requests had been received, 74 property visits were conducted, and 185 taxpayer walk-ins were seen. She added 53 lawsuits/interventions had been filed, 479 suits were still pending as of May 2015. She further reported two tax re-sales had been conducted during the reporting period placing five (5) properties for sale and reported base tax collection have remained stabled collecting over \$259,233.31 in delinquent taxes have been collected during the second quarter bringing the total amount of \$534,890.94 collected year to date.

**C) CONSIDERATION AND ACTION, IF ANY, ON ACCEPTANCE OF THE SINGLE MACHINE REPAVING PROJECT 1<sup>ST</sup> YEAR PROGRAM WITH CUTLER REPAVING INC. AND RELEASE OF FINAL PAYMENT AND RETAINAGE IN THE AMOUNT OF \$357,600.60**

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

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

**ITEM 6 **CLOSED SESSION:** IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEMS 3 – 5**

None.

**ITEM 7 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN EXECUTIVE SESSION**

None.

**ITEM 8 ADJOURNMENT:**

There being no other business to come before the board, Comm. Garza **moved** to adjourn. Comm. Elizondo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:59 p.m.

CITY OF PHARR

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LEOPOLDO "POLO" PALACIOS, JR.  
MAYOR

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

**ON THIS THE 12TH DAY OF MAY, 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:

MINUTES: REGULAR-SPECIAL CALLED MEETING  
MAY 12, 2015

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HILDA PEDRAZA, CITY CLERK

APPROVED:

DRAFT

**MINUTES  
BOARD OF COMMISSIONERS  
SPECIAL CALLED MEETING  
TUESDAY, MAY 19, 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, May 19, 2015 and following is the record of attendance.

**BOARD OF COMMISSIONERS PRESENT:** Mayor Leopoldo Palacios Jr.  
Comm. Roberto Carrillo  
Comm. Oscar Elizondo, Jr.  
Comm. Edmund Maldonado, Jr.

**BOARD OF COMMISSIONERS ABSENT:** Mayor Pro-Tem Adan Farias  
Comm. Arturo Cortez  
Comm. Aquiles Garza

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

**CITY ATTORNEY  
CITY ENGINEER**

Michael Pruneda, City Attorney  
Bill Ueckert, City Engineer

**ITEM 1 CALL TO ORDER:**

Mayor Palacios called the meeting to order at 5:03 p.m. Roll Call established a quorum.

**A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY  
ABSENT MEMBER OF THE GOVERNING BODY**

Comm. Elizondo moved to excuse Comm. Cortez, Comm. Garza and Comm. Farias for being absent. Comm. Maldonado seconded the motion and when put to a vote, it carried unanimously.

**ITEM 2 CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AND ORDER  
CANVASSING THE ELECTION RESULTS FOR THE GENERAL  
MUNICIPAL ELECTION HELD MAY 9, 2015**

Mayor Palacios introduced the item.

Hilda Pedraza, City Clerk, went over the ordinance declaring the results of the May 9, 2015 election as follows: for Mayor: Adan Farias received 3,193 votes, Ambrosio "Amos" Hernandez received 3,401 votes; for Commissioner Place 1: Eleazar Guajardo received 3,277 votes, Arturo Cortez received 3,265 votes; Commissioner Place 5: Aquiles "Jimmy" Garza received 3,205 votes, Ricardo Medina received 3,344 votes; Commissioner Place No. 6: Ramiro Caballero received 3,238 votes and Mario A. Bracamontes received 3,331 votes. She stated Oscar Gonzalez, CPA, had certified the results and was present in the audience to answer any questions.

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

Ordinance No. O-2015-27 is filed with the City Clerk's Office.

The colors from PSJA Early College ROTC were presented, the pledge of allegiance was recited, the national anthem was sung and the invocation was given.

At this time Mayor Palacios thanked his wife and family and the community for the support given to him during the past 35 years and wished blessings to everyone.

**ITEM 3 OATH OF OFFICE FOR NEWLY ELECTED MAYOR AND  
COMMISSIONERS**

Mayor Palacios introduced the item.

Ricardo Rodriguez, District Attorney, administered the Oath of Office to Mayor Ambrosio "Amos" Hernandez.

Mayor Ambrosio "Amos" Hernandez thanked his family and everyone present and for their support and presented a token of appreciation to Mayor Palacios for his many years of service, dedication, loyalty, and leadership to the City of Pharr. He stated the token of appreciation was from the citizens of Pharr.

Mayor Palacios thanked everyone for the token of appreciation.

At this time Mayor Ambrosio "Amos" Hernandez gave a speech.

Judge Rudy Delgado administered the Oath of Office to Comm. Eleazar Guajardo.

Comm. Eleazar Guajardo thanked all his family, friends and everyone who supported him and participated in the election.

Judge Rudy Delgado administered the Oath of Office to Comm. Ricardo Medina.

Comm. Ricardo Medina thanked everyone for their support in this historical the community for the high turnout.

Judge Jaime J. Munoz administered the Oath of Office to Comm. Mario Bracamontes.

Comm. Mario Bracamontes thanked everyone for their support and stated he would continue serving the community.

Comm. Elizondo welcomed the newly elected Mayor and Commissioners and stated he was looking forward to working together with them as a team.

Fred Sandoval, City Manager, thanked everyone for attending the meeting and stated he was looking forward to working with everyone and welcomed all the new Elected Officials.

**ITEM 4 CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEMS 2 – 3**

None.

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

None.

**ITEM 6 ADJOURNMENT:**

There being no other business to come before the board, Comm. Ellizondo moved to adjourn. Comm. Maldonado seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:40 p.m.

CITY OF PHARR

\_\_\_\_\_  
LEOPOLDO "POLO" PALACIOS, JR.  
MAYOR

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

**ON THIS THE 19<sup>TH</sup> DAY OF MAY, 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:



interoffice  
MEMORANDUM

**To:** Mayor and City Commission

**From:** Hilda Pedraza, TRMC City Clerk

**Subject:** Agenda Item – authorizing Interim City Manager to advertise for Request for Qualifications for delinquent tax collection services.

**Date:** June 16, 2015

---

No backup information is needed for this item.

Thank you.



**AGENDA ITEM REQUEST**

MEETING DATE: 6/16/15

INITIATED BY: Edward Wylie DEPARTMENT: Development Services

AGENDA ITEM: Abandonment of Utility Easement.

Legal Description: **Being the North 18.86 feet of the South 43.86 feet Roadway and Utility Easement located within Car-Mel Subdivision, according to the map or plat thereof recorded in Volume 25 Page 135B, H.C.M.R., Pharr, Hidalgo County, Texas.**

PARTY MAKING THE REQUEST: Fred L. Kurth, P.E./R.P.L.S.

NATURE OF THE REQUEST: Abandonment of Utility Easement.

**BUDGET:**

EXPENDITURE REQUIRED: \$

CURRENT BUDGET: \$

ADDITIONAL FUNDING: \$

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD:  DATE: 6-11-15

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:** Staff recommends approval to abandon utility easement.



**ABANDONMENT OF PUBLIC RIGHT-OF-WAY/EASEMENT APPLICATION**

**MINIMUM SUBMITTAL REQUIREMENTS**

- \$125.00 Abandonment of Public Right-of-Way/Easement Application Fee;
- Application completed in full. This application form provided by the City of Pharr must be used and may not be adjusted or altered. Please attach pages if additional information is provided;
- A copy of the Boundary Survey and metes and bounds description of the ROW to be abandoned;
- A copy of a recent warranty deed (within 90 days);
- For unplatted property, a signed, sealed and dated metes and bounds description and a diagram of the property showing the location of the abandonment.
- For platted property, a copy of the plat showing the lot, block, subdivision and recording information.

LOCATION OF RIGHT-OF-WAY/EASEMENT TO BE ABANDONED:

ADDRESS: 1251 West Polk Avenue

LEGAL DESCRIPTION: SEE ATTACHED "ATTACHMENT 1"

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name: Fred L. Kurth, P.E./R.P.L.S. Email: fkurth@meldenandhunt.com

Street Address: 115 W. McIntyre Street

City: Edinburg State: Texas Zip: 78541

Phone Number: 956-381-0981 Fax Number: 956-381-1839

PROPERTY OWNER'S INFORMATION (If different from above):

Name: Reyna Enterprises Inc. Email: N/A

Street Address: 131 E. Pecan Blvd.

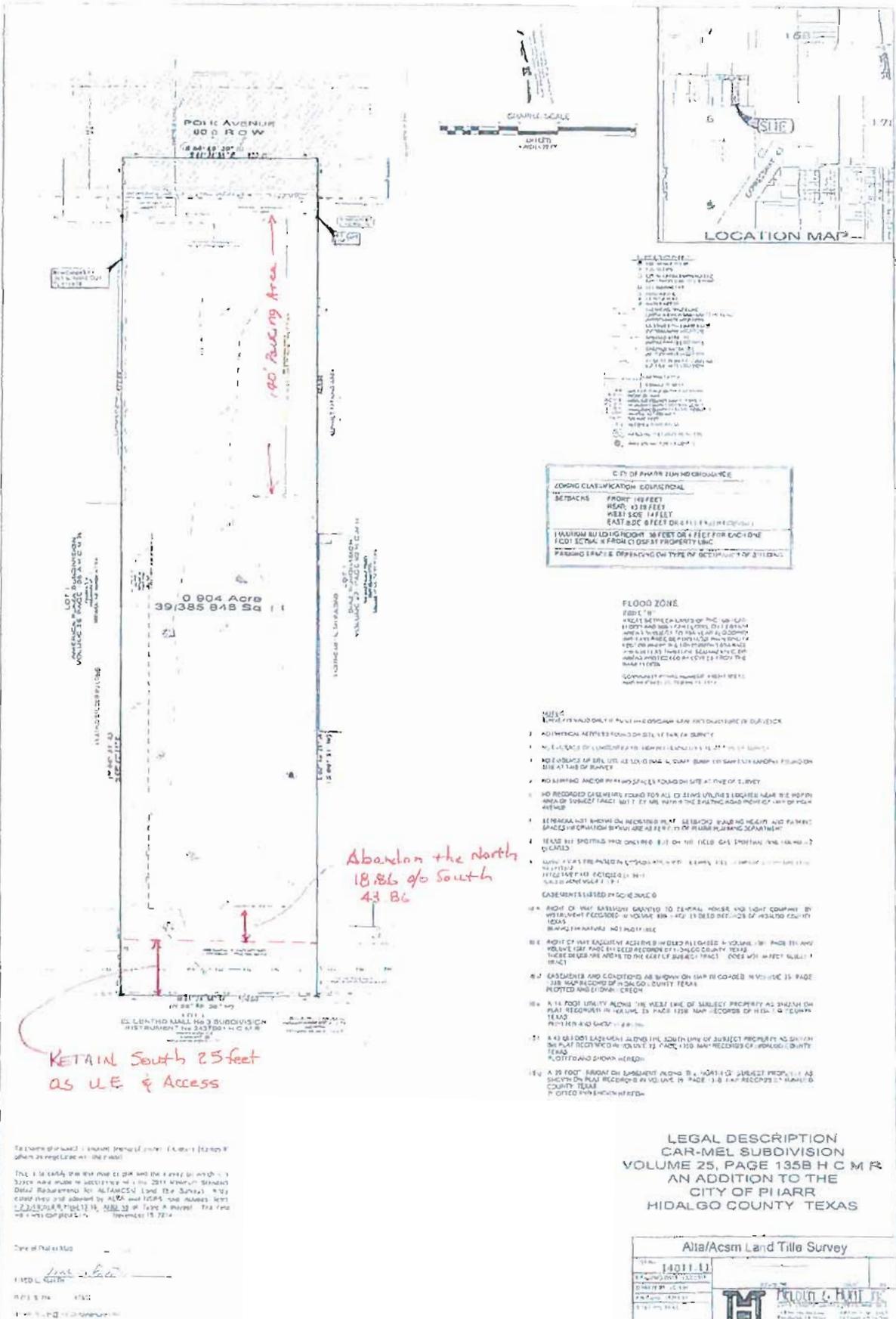
City: McAllen State: Texas Zip: 78501

Phone Number: N/A Fax Number: N/A

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement of the owner. If there is more than one owner, all owners must sign the application or power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.

[Signature]  
Signature of Owner

3-10-15  
Date



POLO AVENUE  
600 R.O.W.



TABLE OF EASEMENTS

1. UTILITY EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF UTILITY LINES AND EQUIPMENT.
2. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF WATER MAINS AND SEWER LINES.
3. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF GAS LINES.
4. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF CABLE TELEVISION LINES.
5. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF TELEPHONE LINES.
6. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF FIBER OPTIC CABLES.
7. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF AIR CONDITIONING SYSTEMS.
8. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF HEATING SYSTEMS.
9. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF ROOFING SYSTEMS.
10. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF EXTERIOR LIGHTING SYSTEMS.
11. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF PAVING SYSTEMS.
12. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF FENCING SYSTEMS.
13. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF LANDSCAPING SYSTEMS.
14. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF TREE TRIMMING SERVICES.
15. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF PEST CONTROL SERVICES.
16. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF FURNITURE SERVICES.
17. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF MAINTENANCE SERVICES.
18. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF OTHER SERVICES.

E.O. OF PIARR 2514 H.C. CR. 145

ZONING CLASSIFICATION: COMMERCIAL	
REAR YARD SETBACK	FRONT: 10 FEET
REAR YARD SETBACK	REAR: 25 FEET
REAR YARD SETBACK	WEST SIDE: 10 FEET
REAR YARD SETBACK	EAST SIDE: 10 FEET OR 5% OF FRONT LOT FRONTAGE, WHICHEVER IS GREATER

MINIMUM BUILDING FOOTPRINT: 15 FEET FOR EACH SIDE  
 1 FOOT SETBACK FROM LOT FRONT PROPERTY LINE  
 PARKING SPACES: DEPENDENT ON TYPE OF BUSINESS OF ESTABLISHMENT

FLOOD ZONE  
 FLOOD ZONE 1  
 FLOOD ZONE 1 (AE) - ANNUAL FLOOD FLOODING WITH A 1% CHANCE OF EXCEEDING IN ANY YEAR  
 THIS FLOOD ZONE IS DETERMINED BY THE FLOOD INSURANCE RATE MAP (FIRM) NUMBER 17135C0011A AND 17135C0011B DATED 03/11/93 AND THE FLOOD INSURANCE RATE MAP (FIRM) NUMBER 17135C0011C DATED 03/11/93.

- EASEMENTS:
1. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF UTILITY LINES AND EQUIPMENT.
  2. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF WATER MAINS AND SEWER LINES.
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  18. EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF OTHER SERVICES.

Abandon the north  
 18.86 of South  
 43.86

RETAIN South 25 feet  
 as U.E. & Access

LEGAL DESCRIPTION  
 CAR-MEL SUBDIVISION  
 VOLUME 25, PAGE 135B H.C.M.R.  
 AN ADDITION TO THE  
 CITY OF PIARR  
 HIDALGO COUNTY TEXAS

Alta/Acsm Land Title Survey

14111-0

This plat was prepared from a plat filed for record on the 15th day of February, 2011, in the County of Hidalgo, Texas, and is a true and correct copy of the same as the same appears on the original plat filed for record.

This is a plat of land in the City of Piarr, Hidalgo County, Texas, and is a true and correct copy of the same as the same appears on the original plat filed for record.

Date of Plat: 10/15/11

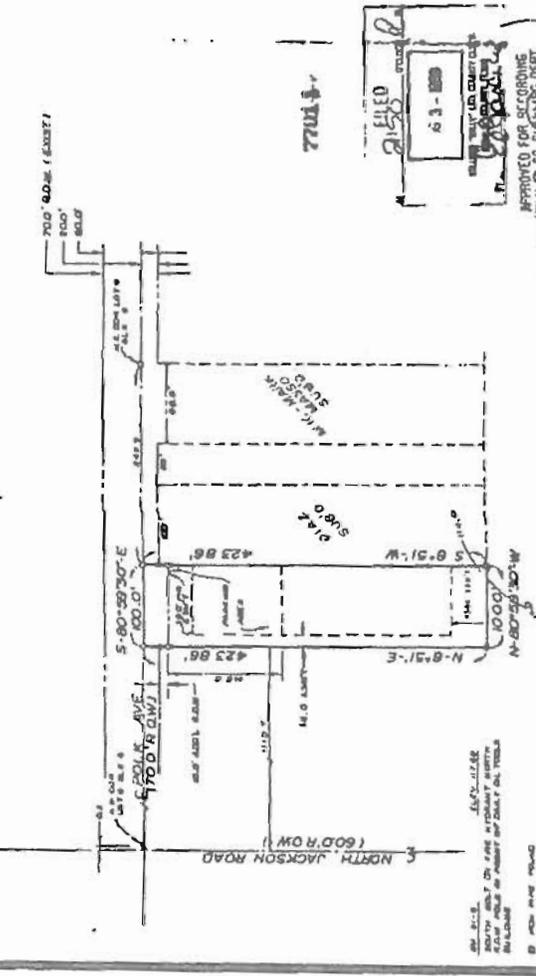
Prepared by: Melissa G. Hunt

## **"ATTACHMENT 1"**

Tract 1: Abandon the roadway and utility easement over the north 18.86 feet of the south 43.86 feet of Carmel Subdivision recorded in Volume 25 Page 135B, H.C.M.R. out of Pharr, Hidalgo County, Texas.

Tract 2: Abandon the 140 feet parking area being the south 140 feet out of the north 170 feet of Carmel Subdivision recorded in Volume 25 Page 135B, H.C.M.R. out of Pharr, Hidalgo County, Texas.

**NOTES & REMARKS**  
 A 0.97 acre tract of land out of Lot 6, Blk. 6, A.J. McGill Sub'd., Hidalgo County, Texas, more specifically described as follows:  
 COMMENCING at the NE corner of Lot 6, Blk. 6, A.J. McGill Sub'd., Thence S 89° 51' 20" W along the centerline of Polk Ave. for a distance of 249.6' to the SE corner of described property and the Point of Beginning;  
 Thence S 89° 51' 20" W along the East Property line for a distance of 433.84' to an iron pipe being the SE corner of described property;  
 Thence S 89° 51' 20" W along the East Property line for a distance of 100.0' to an iron pipe being the SE corner of described property;  
 Thence S 89° 51' 20" W along the East Property line for a distance of 433.84' to a point on the connection of Polk Ave. being the NE corner of described property;  
 Thence S 89° 51' 20" W along the connection of Polk Ave. being the NE corner of described property containing 0.97 acre more or less.



**PLAT OF CAR-MEL**  
 A 0.97 ACRE TRACT  
 OUT OF LOT 6, BLK 6  
 AJ MCCOLL SUBDIVISION  
 HIDALGO COUNTY, TEXAS  
 CITY OF PHARR

APPROVED FOR RECORDING  
 BY: [Signature]  
 COUNTY CLERK  
 HIDALGO COUNTY, TEXAS  
 FILED IN PUBLIC RECORDS  
 DATE: 10/18/88

CHECKED FOR DRAINAGE  
 BY: [Signature]

THIS PLAT IS HEREBY APPROVED BY HIDALGO COUNTY REGISTRAR DISTRICT NO. 2 SUBJECT TO THE CONDITIONS THAT IF PROVISION FROM SAID DISTRICT IS DESIRED TO THE INDIVIDUAL LOTS IN SAID SUBDIVISION, PROVISION SHALL BE MADE FROM SAID DISTRICT FOR THE INSTALLATION OF NECESSARY IRRIGATION FACILITIES TO SUCH LOTS FROM THE CLOSEST WATER DISTRICT DELIVERY POINT AND IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY TO INSTALL SUCH NECESSARY FACILITIES.

ATTEST: [Signature]  
 SECRETARY  
 HALL, DISTRICT NO. 2, HENRIETTA

STATE OF TEXAS  
 COUNTY OF HIDALGO  
 KNOWN TO ALL MEN BY THESE PRESENTS

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS CAR-MEL TO THE CITY OF PHARR, TEXAS, AND WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATE TO THE USE OF THE PUBLIC, ALL STREETS, ALLEYS AND EASEMENTS THEREON SHOWN, FOR PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

[Signature]  
 OWNER

STATE OF TEXAS  
 COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, THE ABOVE NAMED OWNERS KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY SECURED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 10th DAY OF OCTOBER, 1988.

[Signature]  
 NOTARY PUBLIC

STATE OF TEXAS  
 COUNTY OF HIDALGO

APPROVED AND AUTHORIZED FOR RECORD BY THE PLANNING AND ZONING COMMISSION, CITY OF PHARR, TEXAS THIS THE 10th DAY OF OCTOBER, 1988, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF PHARR, TEXAS

[Signature]  
 CHAIRMAN, PLANNING & ZONING COMMISSION

THIS PLAT APPROVED AND ACCEPTED BY THE CITY COMMISSION OF THE CITY OF PHARR, TEXAS ON THIS THE 10th DAY OF OCTOBER, 1988.

[Signature]  
 CITY SECRETARY



**Subject:** RE: Re[4]: Abandonment of Easement  
**From:** "Rene Saenz" <[rene.saenz@pharr-tx.gov](mailto:rene.saenz@pharr-tx.gov)>  
**Sent:** 4/20/2015 2:27:38 PM  
**To:** "Roland Gomez" <[roland.gomez@pharr-tx.gov](mailto:roland.gomez@pharr-tx.gov)>

Roland,

The Department of Public Works has reviewed and accepts the abandonment of easement. If you require any additional information, please do not hesitate to contact our department.

Regards,



**From:** Roland Gomez [mailto:[roland.gomez@pharr-tx.gov](mailto:roland.gomez@pharr-tx.gov)]  
**Sent:** Monday, April 20, 2015 2:21 PM  
**To:** Rene Saenz  
**Subject:** Re[4]: Abandonment of Easement

To approve. Just got the letter from AEP and they are approving it also.

Thank you,  
**Roland Gomez**

----- Original Message -----

From: "Rene Saenz" <[rene.saenz@pharr-tx.gov](mailto:rene.saenz@pharr-tx.gov)>  
To: "Roland Gomez" <[roland.gomez@pharr-tx.gov](mailto:roland.gomez@pharr-tx.gov)>  
Sent: 4/20/2015 1:23:03 PM  
Subject: RE: Re[2]: Abandonment of Easement

Roland,

What is staff recommendation?

**Subject:** Carmel Subdivision, 1700 Blk of West Polk Ave.  
**From:** "Diana Martinez" <[diana.martinez@pharr-tx.gov](mailto:diana.martinez@pharr-tx.gov)>  
**Sent:** 4/20/2015 2:51:19 PM  
**To:** "[roland.gomez@pharr-tx.gov](mailto:roland.gomez@pharr-tx.gov)" <[roland.gomez@pharr-tx.gov](mailto:roland.gomez@pharr-tx.gov)>  
**CC:** "Yesenia Ennis" <[yesenia.ennis@pharr-tx.gov](mailto:yesenia.ennis@pharr-tx.gov)>

**Good Afternoon,**  
**As per Mr. Ortiz it is ok to abandon the easement on Carmel Subdivision, 1700 Blk of West Polk Ave.**

## **Diana Martinez**

*City of Pharr Public Utilities*

*Office Clerk*

*801 E. Sam Houston*

*Pharr, TX 78577*

*Phone 956-402-4300 Ext. 2322*

*Fax 956-783-4688*

*[diana.martinez@pharr-tx.gov](mailto:diana.martinez@pharr-tx.gov)*



**INTEROFFICE MEMORANDUM**

**To:** Bill Ueckert, Director of Engineering *ok wfa 4/20/15*  
**From:** Roland Gomez, Senior Planner  
**Subject:** Abandonment of Utility Easement and Parking Area  
**Date:** April 13, 2014

---

Fred L. Kurth has filed a request for abandonment of 18.86 feet of the South 43.86 feet utility easement and 140 feet parking area being the South 140 feet out of the North 170 feet. The property is more fully described as follows:

Legal Description: Carmel Subdivision, Pharr, Hidalgo County, Texas

Physical Address: Within the 1700 Block of West Polk Ave.

Please provide us with your comments by 5:00 p.m., Friday, April 17, 2015.



## INTEROFFICE MEMORANDUM

**To:** Edward Wylie, Director of Development Services  
**From:** Roland Gomez, Senior Planner  
**Subject:** Abandonment of Utility Easement and Parking Area  
**Date:** April 13, 2014

---

Fred L. Kurth has filed a request for abandonment of 18.86 feet of the South 43.86 feet utility easement and 140 feet parking area being the South 140 feet out of the North 170 feet. The property is more fully described as follows:

Legal Description: Carmel Subdivision, Pharr, Hidalgo County, Texas

Physical Address: Within the 1700 Block of West Polk Ave.

Please provide us with your comments by 5:00 p.m., Friday, April 17, 2015.

P Planning ROW Carmer

A handwritten signature in blue ink, consisting of the letters "OK" and "ec" below it, all enclosed within a circular scribble.

**REQUEST FOR LETTER OF REVIEW AND RECOMMENDATION FOR PETITION  
TO VACATE**

Date: March 5, 3015

CONTACT NAME: TEXAS GAS SERVICE  
COMPANY NAME: OCTAVIO RANGEL/VICTOR J. LOPEZ  
MAILING ADDRESS: P.O. Box 531827  
CITY, STATE, ZIP: HARLINGEN, TEXAS 78553-1827

RE: Request for a letter of Review and Recommendation on a vacate request for:

- Utility Easement Vacate
- Drainage Easement Vacate
- Plat Vacate
- Right-of-Way Vacate

Parcel ID Number: 132538

To Whom It May Concern:

I/We intent to submit a Petition to the City of Pharr City Commission seeking to vacate the public interest in an easement, right-of-way, or plat, indicated above, at the above location in order to accomplish the following purpose: (state purpose here)

Tract 1: Abandon a portion of the roadway and utility easement but retain the south 25 feet for access and utility easement

Tract 2: Abandon the parking area

SEE ATTACHED "ATTACHMENT 1"  
Octavio A. Rangel 3/19/15 Accept

Included is a sketch and legal description of the requested vacate for your review. If you have any questions, please contact us directly. Thank you in advance for your consideration

Sincerely;

  
Petitioner Signature

115 W. McIntyre Street Edinburg, TX  
Return Mailing Address

956-381-0981  
Phone Number



April 9, 2015

Lydia Flores  
Melden & Hunt, Inc.  
115 W McIntyre Street  
Edinburg, TX 78541

SUBJECT: Abandonment of Parking Area and Roadway and Utility Easement, Pharr, TX 78577

We have reviewed your request for the above referenced Utility Easement, and Time Warner Cable (TWC) hereby grants the abandonment of the ROW near Polk Ave and San Patricia Dr, located within the city of Pharr, TX.

If applicable, please contact the Texas Excavation Safety System (Texas811) to have facilities marked & located within affected easements before any excavations are started.

For future reference, please send all utility coordination, abandonments, encroachments, plat signatures, or serviceability requests, or notices of relocation to [west-engineering-relo@twcable.com](mailto:west-engineering-relo@twcable.com). Please share this information with whoever needs these services.

Sincerely,

A handwritten signature in black ink that reads "Lisa M. Law". The signature is written in a cursive style with a large, prominent "L" and "L" at the beginning and end of the name.



AT&T Texas T 713.943.4931  
510 Arkansas Street F 713.943.5699  
Room 200  
South Houston, TX 77587

April 23, 2015

Lydia Flores  
Melden & Hunt, Inc.  
115 W. McIntyre  
Edinburg, Texas 78541

Re: "**No Objection**" to the abandonment of a Roadway and Utility Easement located on Polk Avenue, Hidalgo County, Texas. (R.O.W. Job # PH 00315-N)

Dear Ms. Flores,

Southwestern Bell Telephone Company (SWBT) offers "**No Objection**" to the abandonment of the north 18.86' of the south 43.86' Roadway and Utility Easement located within Car-Mel Subdivision, according to the map or plat thereof recorded in Volume 25, Page 135-B of the Hidalgo County Map Records Hidalgo County, Texas, as described in City of Pharr Petition, Attachment I and shown on survey prepared by Melden & Hunt, Inc., dated December 2<sup>nd</sup>, 2014, Job No. 14011.11.

SWBT has **No Interest** and is unable to offer an opinion regarding the abandonment of the 140 feet parking area within the above described property.

I have included a **Release of Easement** document for the release of Southwestern Bell Telephone Company's interests in the easement. The release is for the owner to keep and it will be the owner's responsibility to have the release recorded. If you have any questions or need any additional information please contact me at the above address or by telephone at 713 943-4931 or by email at [sm8285@att.com](mailto:sm8285@att.com)

Sincerely,

Sonya Merrill  
Manager-Engineering Design  
Right-of-Way

Attachment:

RELEASE OF  
EASEMENT RIGHTS

STATE OF TEXAS §

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF HIDALGO §

WHEREAS, REYNA ENTERPRISES, INC. (hereinafter referred to as the "Owner") is the owner of the following described property in Hidalgo County, Texas

Being within Car-Mel Subdivision, according to the map or plat thereof recorded in Volume 25, Page 135-B of the Hidalgo County Map Records Hidalgo County, Texas.

WHEREAS, the above described property is subject to that certain Roadway and Utility Easement ("Easement") which was platted and dedicated and filed for record with the Clerk of Real Property Records of Hidalgo County, Texas for public utility purposes, and

WHEREAS, The Owner has requested the abandonment of the Easement and requires that Southwestern Bell Telephone Company, release and abandon it rights for use of the Easement.

NOW, THEREFORE, in consideration of the premises, Southwestern Bell Telephone Company has RELINQUISHED and does by these presents FOREVER RELEASES, all of the right of use that it may have to the following described portions of those previously described Easement:

Being the north 18.86' of the south 43.86 feet Roadway and Utility Easement located within Car-Mel Subdivision, according to the map or plat thereof recorded in Volume 25, Page 135-B of the Hidalgo County Map Records Hidalgo County, Texas.

This Release is only for that portion of the dedicated easements described herein and only affects those rights which may be held by Southwestern Bell Telephone Company. Southwestern Bell Telephone Company retains the right of use of all other general utility easements and Southwestern Bell Telephone Company Easements dedicated within the herein described property and not being released by this document

EXECUTED this 24<sup>th</sup> day of April, 2015.

SOUTHWESTERN BELL TELEPHONE COMPANY  
a Delaware corporation.

By

Name: Jerry Ray

Its: Manager-Engineering Right-of-Way

ACKNOWLEDGMENT

STATE OF TEXAS §

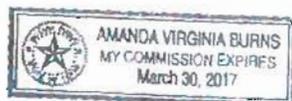
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Jerry Ray, on 24<sup>th</sup> April, 2015, known to me to be the Jerry Ray, as Manager-Engineering of Southwestern Bell Telephone Company, a Delaware corporation

Given under my hand and seal of office this the 24<sup>th</sup> day of April, 2015.

NOTARY PUBLIC STATE OF TEXAS

Printed Name of Notary





April 17, 2015

Roland Gomez, CCO  
City of Pharr  
118 S. Cage Blvd.  
Pharr, Texas 78577

Dear Mr. Gomez,

AEP Texas Central Company (AEP) has reviewed the attached request. In reference to the property described in Attachment 1 of the submitted request, AEP does not have electrical distribution systems and facilities within this right-of-way and does not object to the abandonment of the rights-of-way of the same properties further described as follows:

Tract 1: The roadway and utility easement over the north 18.86 feet of the south 43.86 feet of Carmel Subdivision recorded in Volume 25 Page 135B, H.C.M.R. out of Pharr, Hidalgo County, Texas.

Tract 2: The 140 feet parking area being the south 140 feet out of the north 170 feet of Carmel Subdivision recorded in Volume 25 Page 135B, H.C.M.R. out of Pharr, Hidalgo County, Texas.

Should you have any further questions regarding this matter, please do not hesitate to contact me at (956) 283-2366.

Respectfully,

A handwritten signature in black ink that reads 'J. Ezequiel Sanchez'.

J. Ezequiel Sanchez  
Right Of Way Agent

cc: Krystal Hernandez  
cc: Paul Anzaldua  
cc: Juan Hermosillo

**REQUEST FOR LETTER OF REVIEW AND RECOMMENDATION FOR PETITION  
TO VACATE**

Date: March 5, 2015

CONTACT NAME: AEP  
COMPANY NAME: JUAN HERMOSILLO  
MAILING ADDRESS: 5700 N. CAGE BLVD.  
CITY, STATE, ZIP: PHARR, TEXAS 78577

RE: Request for a letter of Review and Recommendation on a vacate request for:

- Utility Easement Vacate
- Drainage Easement Vacate
- Plat Vacate
- Right-of-Way Vacate

Parcel ID Number: 132538

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I/We intent to submit a Petition to the City of Pharr City Commission seeking to vacate the public interest in an easement, right-of-way, or plat, indicated above, at the above location in order to accomplish the following purpose: (state purpose here)

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Tract 2: Abandon the parking area

**SEE ATTACHED "ATTACHMENT 1"**

Included is a sketch and legal description of the requested vacate for your review. If you have any questions, please contact us directly. Thank you in advance for your consideration.

Sincerely;

  
\_\_\_\_\_  
Petitioner Signature

115 W. McIntyre Street Edinburg, TX  
Return Mailing Address

956-381-0981  
Phone Number



## **MEMORANDUM**

**TO:** MAYOR AND CITY COMMISSION

**FROM:** EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.

**THROUGH:** FRED SANDOVAL, CITY MANAGER

**DATE:** MAY 12, 2015

**RE:** CONDITIONAL USE PERMIT AND LATE HOURS PERMIT FOR ABC –  
FILE NO. CUP#150431 (LA FRONTERA BAR)

### **GENERAL INFORMATION:**

**APPLICANT:** Mario I. Ledezma, d/b/a La Frontera Bar, 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 Lots 4 and 5, La Quinta Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property's physical address is 5808 South Cage Boulevard.

**ZONING:** The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the North, South and East and Single Family Residential District (R-1) to the West. The area is generally designated for commercial use in the Land Use Plan.

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

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

**POLICE CHIEF:** Recommends approval of the Conditional Use Permit.  
(See attached memo)

**PLANNING DEPARTMENT:** Recommends approval of the Conditional Use Permit.  
(See attached memo)

**NOTIFICATION OF PUBLIC:**

Twenty-Seven (27) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received two (2) people in opposition of the item and two (2) people signed up for the public hearing.

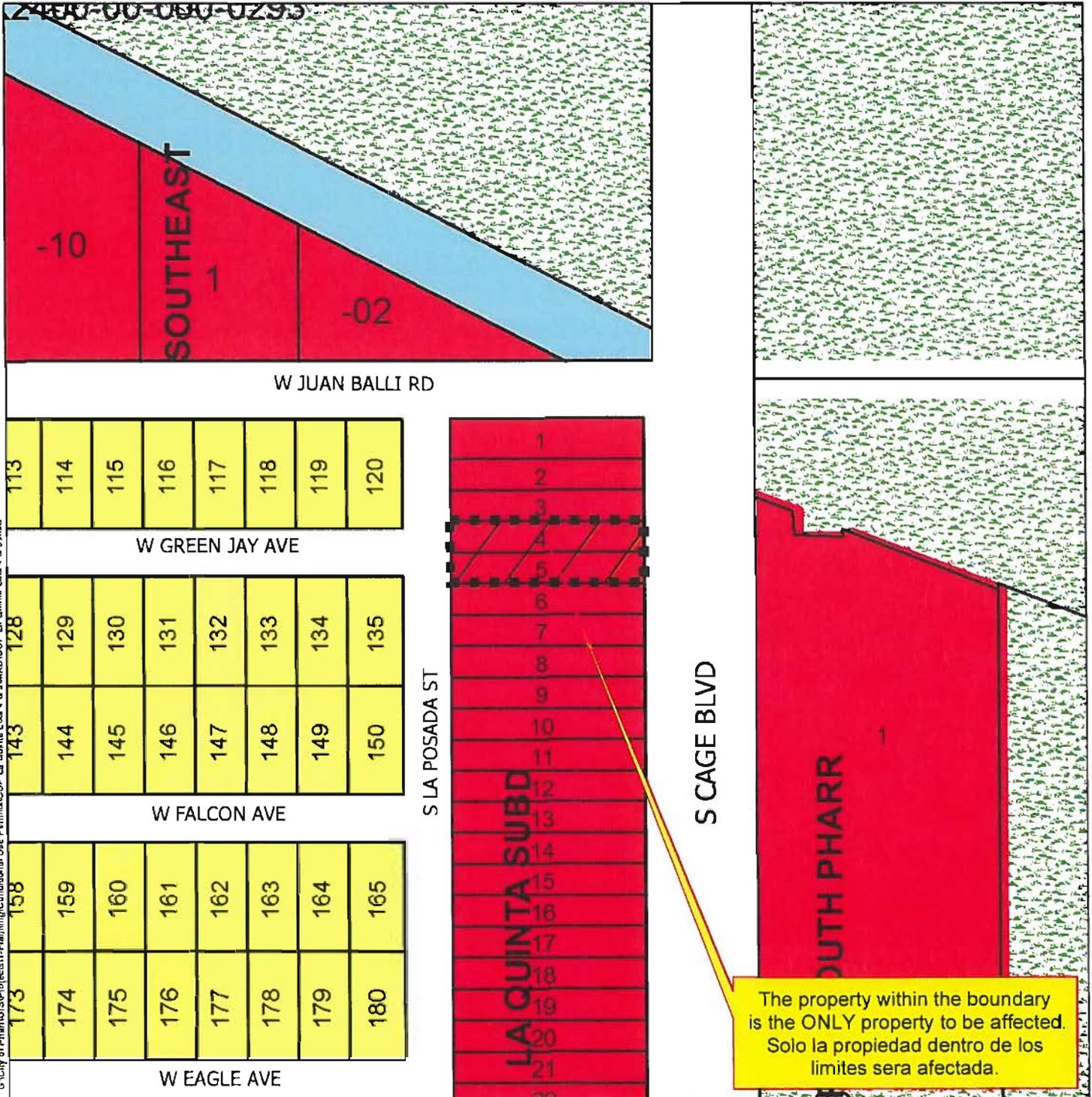
**DEVELOPMENT SERVICES STAFF RECOMMENDATIONS:**

Development Services Staff recommends **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:**

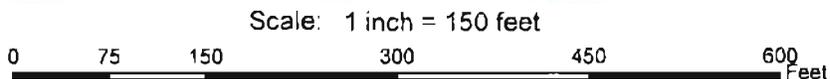
The Planning and Zoning Commission voted by majority of five (5) for approval and one (1) for denial for the request of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Conditions set by Planning and Zoning Commission are as follows:

1. A licensed Security Company must be present every day of the week starting at 8:00 PM and ending one (1) hour after closing or until the last patron leaves the establishment.
2. Proper lighting. Lighting that does not affect the residence but that does cover the parking area. The recommendation is to meet with Magic Valley or whomever the provider is to make sure it is something that is in compliance and does not disturb the peace of the neighbors but provides lighting for the facility.
3. A working security camera system must be installed inside and outside of the building and must capture every angle of the business verified by the Police Department.
4. No live music will be allowed.
5. Must complete all courses as required by TABC, obtain proper certification and furnish Pharr Police Department with the issued certificate of completion from TABC before the Conditional Use Permit can be issued.



City of Pharr, Texas - Planning/Conditional Use Permits/CUP La Quinta Lots 4 & 5.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                |                          |





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\11-Planning\Conditional Use Permits\CUP La Quinta Lots 4 & 5.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**

3827

OWNER/APPLICANT: Mario Ledelma PHONE: 249-5295  
 ADDRESS: 5308 S. CASE  
 TYPE OF BUSINESS: Bar + Grill NAME OF BUSINESS: LA FRONTERA BAR  
 LEGAL: lots 4+5 SUBD.: LA GRACIA SUBDIVISION

EXISTING BUILDING  YES  NO  
 IF YES, PREVIOUS TYPE OF OCCUPANCY(S) Bar + Grill  
 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) 102 OK SUBSTANDARD  
 2. NUMBER OF EXITS 2 OK SUBSTANDARD  
 3. MEANS OF EGRESS LIGHTING OK SUBSTANDARD  
 4. EXIT SIGNS 2 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** Electrical OK SUBSTANDARD  
**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 Need Sign for MEN R.V.
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_

PREPARED BY: [Signature] DATE: 4/27/15  
 RECEIVED BY: [Signature] 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

April 23, 2015

LA FRONTERA BAR  
5808 S CAGE BLVD  
PHARR, TX 78577



**INSPECTION STATUS - PASSED**

An inspection of your facility on Apr 23, 2015 revealed no violations.

Inspection Note    SHALL PROVIDE OCCUPANCY LOAD  
                          SHALL REPAINT FIRE LANES  
                          SHALL REMOVE TABLE AND CHAIRS FROM FRONT DOOR

---

1602 ROGELIO RODRIGUEZ  
Inspector

Mario Ledezma

**RECEIVED**  
PHARR DEVELOPMENT  
SERVICES DEPT.  
APR 30 2015



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



OK  
EWS

To: Edward Wylie, Director City Planning  
 From: Joel Robles, Asst. Chief of Police  
 Date: 04/24/2015  
 Re: Conditional use Permit and Late Hours Permit for ABC – File No. CUP#150431 (La Frontera Bar)

Mario I. Ledezma, (TID#29230087) d/b/a La Frontera Bar, has filed with the Planning and Zoning Commission requesting for a Conditional Use 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: Lots 4 & 5 La Quinta Subdivision, Pharr, Hidalgo County, Texas

Physical Address: 5808 S. Cage Blvd.

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

**REPLY**

**Mr. Wylie, 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: 

Date: 04/24/2015

**RECEIVED**  
 PHARR DEVELOPMENT  
 SERVICES DEPT.

APR 24 2015

La Frontera Bar CUP Request



## **INTEROFFICE MEMORANDUM**

**To:** MAYOR AND CITY COMMISSION

**From:** EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C. *EW*

**SUBJECT:** CONDITIONAL USE PERMIT AND LATE HOURS PERMIT FOR ABC –  
FILE NO. CUP#150431 (LA FRONTERA BAR)

**DATE:** MAY 12, 2015

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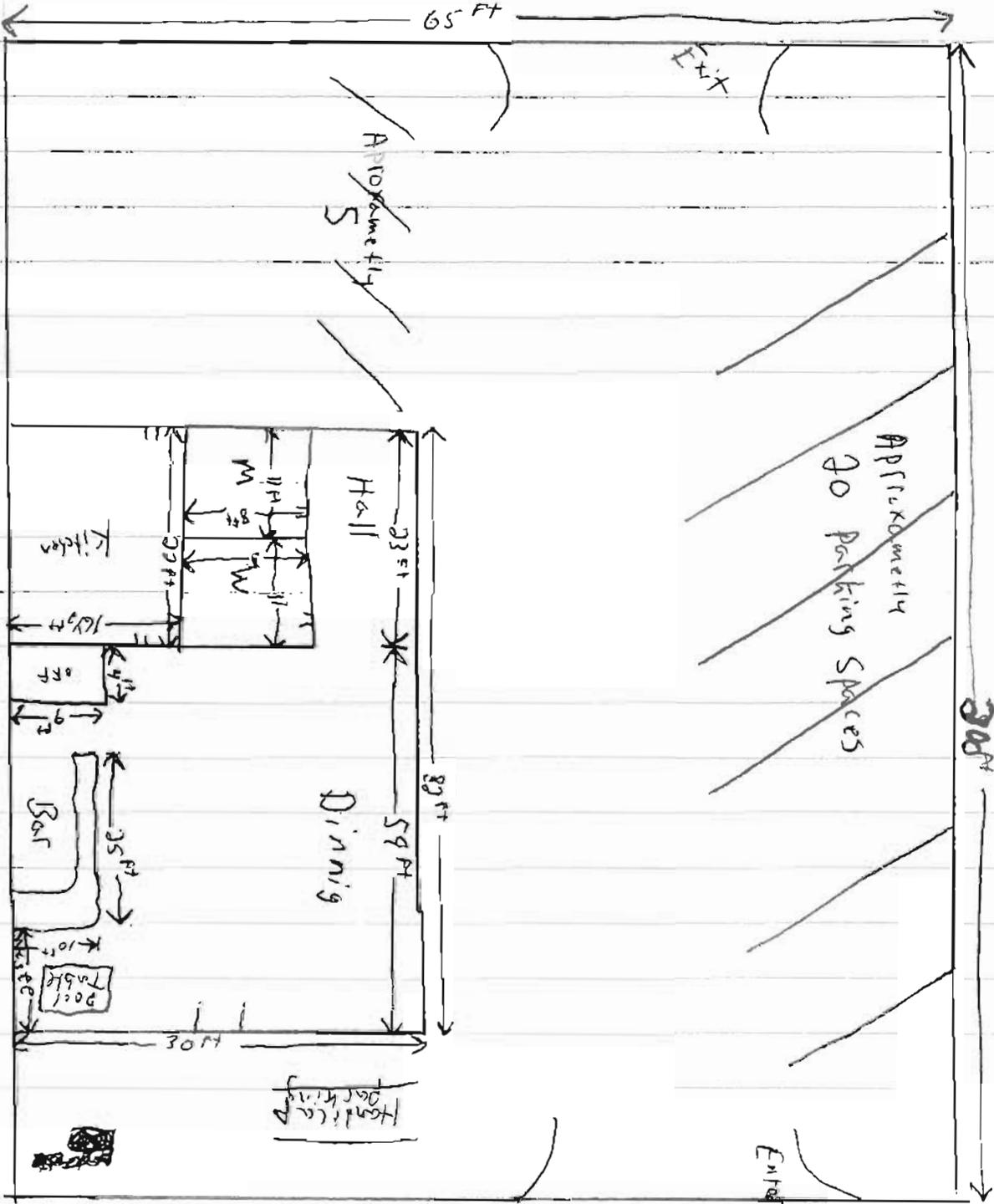
Mario I. Ledezma, d/b/a La Frontera Bar, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is more fully described as follows:

Legal Description: Lots 4 and 5, La Quinta Subdivision, Pharr, Hidalgo County, Texas.

Physical Address: 5808 South Cage Boulevard.

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

W



W

Cage BLVD

E

REC'D AV @ 1:30  
CC \_\_\_\_\_

MAY 22 2015

**REGISTRACION DE AUDIENCIA PUBLICA  
CIUDAD DE PHARR**

**CITY OF PHARR  
ADMINISTRATION  
PHARR, TEXAS**

**Aviso.** Usted puede hablar sobre un tema que pertenece a un aviso legal que requiere una audiencia pública de conformidad con las leyes federales, estatales o locales. Si usted ha sido afectado físicamente, por uso o daños a la propiedad, o por cualquier otro interés jurídicamente reconocible, por favor de firmar y presentar este formulario a la oficina de la Secretaria de la Ciudad en los plazos previstos.

NOMBRE: Angelica Hernandez

DOMICILIO: 100 Green Jay CIUDAD: Pharr ESTADO: TX

CODIGO POSTAL: 78577 NO. DE TELEFONO: 956 98  
78577

EMAIL: \_\_\_\_\_ ORGANIZACION (SI APLICA): \_\_\_\_\_

Numero en la Agenda de la Audiencia Pública: #1-CUP150421

A favor: \_\_\_\_\_ En contra: X

Comité/Comisión: PAZ Fecha de la Junta: 5/26/15

De qué manera la acción propuesta le afecta, o le afectaría, a usted?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RECONOCIMIENTO**

Al firmar abajo, yo reconozco que se me ha proporcionado una copia de la ordenanza, o se me dio la oportunidad de revisar la ordenanza, que contiene las normas y procedimientos aplicables a las reuniones de la ciudad. Además, reconozco que me comprometo a cumplir con las disposiciones contenidas en la ordenanza, y no es necesario previo aviso del presidente u otros funcionarios. Cualquier violación de mi parte me expone a cualquier y todos los castigos aplicables que figuran en el mismo, incluyendo pero no limitado a, la eliminación del edificio.

Angelica Hernandez  
FIRMA

5/22/15  
FECHA

Por favor llene este formulario, y preséntelo ante la Secretaria de la Ciudad antes de las 5:00 pm o el cierre de actividades en el día hábil antes de la audiencia publica programada.

REC'D \_\_\_\_\_  
CC \_\_\_\_\_  
APR 29 2015  
CITY OF PHARR  
CITY CLERKS OFFICE  
PHARR, TEXAS

CITY OF PHARR REGISTRATION FORM

PUBLIC HEARING

**Notice:** You may speak on a subject that pertains to a legal notice requiring a public hearing in accordance with applicable federal, state or local laws. If you have been affected physically, by use or damage to property, or to any other legally recognizable interest, please execute and submit this form to the office of the city clerk within the prescribed deadlines.

PRINTED NAME: Jose J. + Maria A. Luna

ADDRESS: 101 West Green Jay CITY: Pharr STATE: Texas

ZIP CODE: 78577 PHONE NO: (A/C) Home (956) 783-7636

EMAIL: rayLuna131369@gmail.com ORGANIZATION (IF ANY): \_\_\_\_\_

Public Hearing Agenda Item #: \_\_\_\_\_ For: \_\_\_\_\_ Against

Board/Committee: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

How will or has the proposed action affect you?  
altercations and property damages

ACKNOWLEDGMENT

By signing below, I hereby acknowledge that I have been provided a copy of the ordinance, or was given the opportunity to review the ordinance, that contains the rules and procedures applicable to city meetings. I further acknowledge that I agree to comply with the provisions contained in the ordinance, and I do not need further warning from the presiding officer or other officials. Any violation on my part shall subject me to any and all applicable punishment as contained therein, including but not limited to, removal from the premises.

Jose J. Luna  
SIGNATURE

4-29-2015  
DATE

Please fill out this form, and file with the City Clerk no later than 5:00 p.m. or the close of business on the business day prior to the scheduled public hearing.

April 28, 2015

City of Pharr

Planning and Zoning Commission

118 S. Cage blvd. 4<sup>th</sup> Floor

Attn: Mr. Edward M. Wylie, Director/Deputy E.M.C.

*Mr. Wylie this letter is in response to the legal notice dated April 22, 2015 that was sent out to the current owner of the property, located at 101 West Green Jay in La Quinta Subdivision, in Pharr Texas lots# 135 and# 134 across from, the property located at 5808 S. Cage Blvd. requesting a permit for sale of alcoholic beverages and a late hours permit.*

*As Mario I. Ledezma, d/b/a/ La Frontera Bar, located across from my home of 30 years, I have been at this location since 1985 when I built my home for myself and my family, when La Quinta Subdivision was being formed, I am one of the very first property owners on this site, it is for this reason that I am writing yourself and the other City Commissioners, letting you know my reasons for the, objecting to the granting or denying of such requests, for the permits for such business.*

*As you can see by the copies of all the documents that I have sent you, from my medical situations to where I have a heart condition as well as my wife, we are both in poor health conditions, to be putting up with these conditions I have also sent you my invoices of where I have always paid my taxes, on time every year, and currently up to date, on my house and my an joint lot, and all of this so that I can't even relax after a hard day's work, none the less working for the City of Pharr, for fear that, I could, or one of my family members get in to an altercation or confrontation, and get in to some dangerous situation.*

*I have also included pictures, a police report, part receipts, that I have had to pay because of damages caused by drunk and disorderly bar customers, which I can't afford because we are on affixed budget, for medication and utilities, as well as, tire receipts for punctuated tires because of broken bottles left behind by bar customers, without disregards' to my property.*

*We are church going christens and have been for the past 25 years, and have no need for these situations nor do we care for these, kind of business, we just want to be left alone, and respected in our way of life, so we can live like we used to before these type of businesses were being opened all over our Subdivision, not to mention all the other problems associated with these type of business, that sooner or later accompany them, in one way or the other, there for I hope you actually read this letter and take time to discuss this with the other commissioners, and the Planning and Zoning Commission members, and really discus my situation before you make a decision, on this matter.*

*Or are you going to tell me that all of these years of hard work that I have put in to the City, and getting my recognitions for 15 years of service are just a piece of wood that have no meaning, with the City of Pharr logo and lettering with my name on them. Are no better than paper weights, or something that I proudly hang on the wall of my home, in the wall of my living room.*

*We will be at the hearing at 6:00 P.M. on the 11<sup>th</sup> day of May to voice my reasons and concerns for the denial of the granting of such the permits.*

RECEIVED  
PHARR DEVELOPMENT  
SERVICES DEPT.

APR 29 2015

Sincerely  
*Jose J. Luna*  
Jose J. Luna

**Mr. Jose J. Luna is the owner of the said property lot #135 and lot #134 in La Quinta Subdivision, in Pharr , Texas which is directly across from the physical property 5808 S. Cage Blvd. a/k/a La Frontera Bar requesting a permit to allow the sale and consumption, of alcoholic beverages and late hours of business.**

**I am opposed for the following reasons, and they are as follows, because of the circumstances that have happened in the past, since the opening of the (Good Times Bar) and now (La Frontera Bar) wanting to re open its doors for business, in the same manner.**

**Not only do I fear for my life, and well being but also my family's well being, because of the on goings and altercations from customers of the bar across the street, that has not only caused me worry, fear, health problems and property damages, that no one has ever bothered to reimburse me or ask about, from that establishment, knowing well their customers caused the damages.**

**Because when they first opened for business they came to ask me for my permission, so that their customers could park on my property, and the surrounding streets that are adjoin to my property, but when I refused , that's when all of the problems started and have been ongoing , till now that they have stopped, for the time being because they closed their doors.**

**I have also posted in the past no parking signs on my property, only to have them torn down and thrown back in to my yard, and some of my windows and other property broken, in retaliation, of myself and my family speaking , and requesting, to some of the bar customers, to move or park somewhere, while they are attending, concerts and dances, or consuming liquor on the premises.**

**As a 30 year property owner in La Quinta Subdivision never having problems of any kind, and a 15 year Pharr City Employee, I am looking forward to retiring in the upcoming months, after working at Tierra Del Sol Country Chub in Pharr, on South Cage Blvd. where I have worked for approximately 23 years of my life, and 15 of those years for the City of Pharr, When it took over, the golf course, when it was Plantation Country Club I am forever grateful to the City of Pharr for giving me employment for all these years, so that I was able to give my family all of the necessities of life needed, and an education for my children, for their future.**



***As you can see by my commutative year awards', given to me in recognition of my accomplishments with the City of Pharr, it is with the, the heaviest of hearts and desire that I now am looking forward to my retirement, and enjoy my life, and the years I have left with my family, and grandkids, in my home that I have struggled to build, for my wife and family to enjoy.***

***But now because of the bar across the street, starting on Thursday nights threw Sunday we can't enjoy an evening outside, with my grandkids or family, for the fear, of an altercation, drunk customers making vulgar comments, and drunk customers driving off at high and fast speeds, and reckless driving, and fear they may run over someone or wreck in to a vehicle, at any time, like they have in the past.***

***Also we have seen and heard, in the past many fights, altercations, and shootings as well, whether it be from the inside or outside the bar, the results are still the same, they all end up outside and in the back of the bar, which is he front of my home, and when we call the police, the answer is always the same from them, we only have two police officers assigned to this side of town and can't be hear all the time.***

***We have told them numerous times you only need to be here, at 2:00 a.m. when they close the bar, or post a patrol car where it can be seen, so that when they come out of the bar, and take off, it won't be at a high rate of speed or reckless, putting not only the people who live around here but also the other customers, coming out of the bar at risk of getting hit or ran over at that hour.***

***So with that being said as to what problems we are anticipating, if they grant La Frontera Bar a liquor license, and permission to have live band performances, like they have in the past, just like the last bar, because that's when most of the problems happen because of the amount of customers attending such performances, and functions, and not having a secure and safe place to park, due to over crowdedness. Not anticipated by owners.***

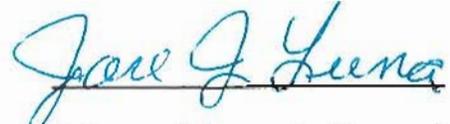
***So I leave you with one final thought, if this was your home, wife, kids, and grandkids and were all facing a potential danger at any point and time, and you not knowing when that could be, and having the chance and as well as the ability to do something about the situation, and hopefully avoid a disaster or life threatening situation, would you all do something about it to protect your family from any harm or kind of danger?***

**Or would you grant these people a license to serve alcohol, and do all of the other illegal things that are also associated, and ongoing with this kind of setting or place of business, that we don't mention but are aware of, that we have seen, happen right out in front of our home, so put yourselves in my place, and ask your self's what would I you do? If that was happing out in front of my home and in front of my grandkids to see.**

**Also ask yourselves, so if something did happen to someone, in the future knowing that I had the chance, or could've prevented that from happing, could you live with your conscious for the rest of your life, or better yet what if one of those drunks hit one of my family members while leaving , that place all drunk and speeding off, just because he was feeling good, or was angry at the world, then may God help you with that decision.**

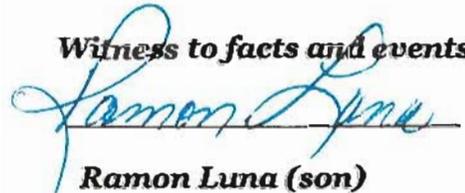
**Because you're the ones who will live with that decision for the rest of your lives.**

**Thank you very much**



**Jose J. Luna (Property Owner)**

**Witness to facts and events**



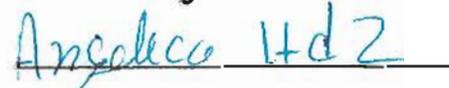
**Ramon Luna (son)**

**Witness to facts and events**



**Maria A. Luna (wife)**

**Witness to facts and events**

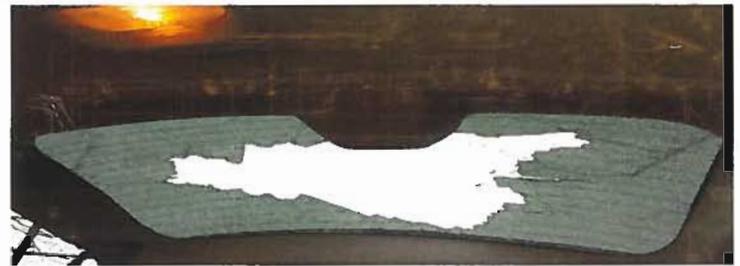


**Angelica Hernandez (neighbor)**

**These are pictures of the damaged property, that has occurred because of the business, known as (Good Times Bar and Grill) located across the street at the following location 101 West Green Jay, Pharr Texas Lot # 35 and #34 , where the Luna family resides for more than 25 years.**



**On February 07, 2014 after midnight, the destruction of said property occurred, the breaking of the back glass of the property owners vehicle 2010 Chrysler town and Country minivan, by a thrown object, that was recovered by the Pharr Police officer, it was a good size rock approximately about 8 to 10 Oz. in diameter, after dispute about parking in front of driveway gates, and conducting sexual acts inside parked vehicle, after doing drugs.**



**As a result, more damage has occurred to the following property by thrown objects(Beer Bottles, Beer cans, Rocks) to the windows of said property at numbers times in the course of the past months from the beginning of the year. These result in broken glass or windows, as the pictures below indicate.**

**Broken bathroom window on North side of said property, due to a thrown object, from bar customers after a dispute over parking on north side of property up against owners fence, and throwing trash (beer cans, Beer bottles) over fence, in to property.**



**A picture above of a broken bedroom window on the East side of said property, facing the back of mentioned bar, due to a thrown beer bottle, after an altercation about parking on said property**

***These are pictures of more damaged to more private property, that has occurred because of the business, known as (Good Times Bar and Grill) located across the street at the following location 101 West Green Jay, Pharr Texas Lot # 35 and #34 in front of the Luna family residences, due to not having enough parking, as allowed by city ordinances.***



***As you can clearly see, a vehicle from a bar customer backed up in to front door of property owners 1996 ford mustang, causing damage to front door of vehicle, because of not enough parking on bar parking lot.***



***Due to vehicles parking on top of property owners grass, it has ruined his yard out in front of house as you can see in above picture, for lack of parking spaces for Bar, across street so customers park on property owners grass, especially on rainy nights.***



***As you can see by this picture of the street , and where the property is located, bar customers park on both sides of street, which is allowed, but not in front of gates preventing access, or cars from leaving or entering property, also preventing owners and his family's vehicles from leaving, so in case of an emergency, due to health issues of property owner, this causes a problem, its because of this situation that we have had altercations, with bar customers.***





"Triple Crown City"



MAYOR  
Leo "Polo" Palacios, Jr.

COMMISSIONERS  
Arturo J. Cortez  
Roberto "Bobby" Carrillo  
Oscar Elizondo, Jr.  
Edmund Maldonado, Jr.  
Aquilés "Jimmy" Garza  
Adan Farias

CITY MANAGER  
Fred Sandoval

Executive Summary Letter

June 16, 2015

Conditional Use Permit **Renewal** for ABC- Pizza Hut

Background:

RGV Pizza Hut, LLC d/b/a Pizza Hut of Pharr, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 13<sup>th</sup> renewal for Pizza Hut.

The property is located at 1001 West Highway 83. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption.

P:\Admin\MY FILES\CUP\ABC\ABC\_RGV PIZZA HUT, LLC dba PIZZA HUT OF PHARR\_2001



**MEMORANDUM**

**TO:** MAYOR AND CITY COMMISSION

**FROM:** EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.

**THROUGH:** JUAN GUERRA, CHIEF FINANCIAL OFFICER/INTERIM CITY MANAGER

**DATE:** JUNE 16, 2015

**RE:** CONDITIONAL USE PERMIT **RENEWAL** FOR ABC –  
FILE NO. CUP#010519 (PIZZA HUT OF PHARR)

**GENERAL INFORMATION:**

**APPLICANT:** RGV Pizza Hut, LLC d/b/a Pizza Hut of Pharr, is requesting renewal of the Conditional Use 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 the North 256.0'-East 125.0' of Block 1, Palm Heights Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The properties physical address is 1001 West Highway 83.

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

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

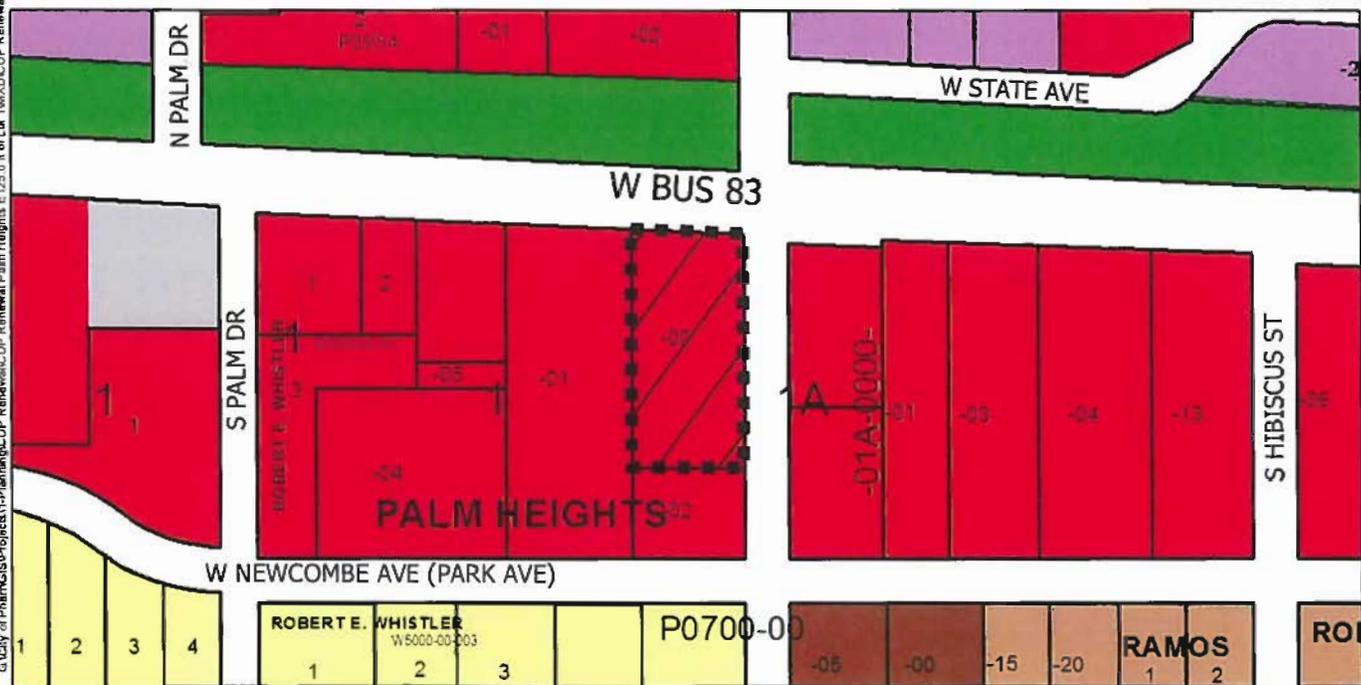
**FIRE MARSHAL:**                      Recommends approval of the Conditional Use Permit. (See attached memo)

**POLICE CHIEF:** Recommends approval of the Conditional Use Permit. (See attached memo)

**PLANNING DEPARTMENT:** Recommends approval of the Conditional Use Permit. (See attached memo)

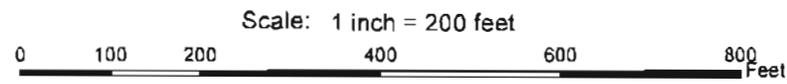
**PLANNING STAFF RECOMMENDATIONS:** Planning Staff is recommending **approval** of the renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) provided that the site is in compliance with all City Ordinances and City Department requirements.

Conditional Use Permit Renewal  
 Palm Heights E125.0 ft of Lot 1  
 Pizza Hut



- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| 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



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

3956

OWNER/APPLICANT: RGV. PIZZA HUT PHONE: 682-1521  
 ADDRESS: 1001 W. BUS. 83  
 TYPE OF BUSINESS: PIZZA HUT NAME OF BUSINESS: PIZZA HUT  
 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 3 \_\_\_\_\_  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 OUTSIDE \_\_\_\_\_  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 ATTIC \_\_\_\_\_  OK \_\_\_\_\_ SUBSTANDARD  
 2. T.P. VALVE & DRAIN \_\_\_\_\_  OK \_\_\_\_\_ SUBSTANDARD  
 3. SHUT-OFF VALVE \_\_\_\_\_  OK \_\_\_\_\_ SUBSTANDARD  
 4. VENT ELAC \_\_\_\_\_  OK \_\_\_\_\_ SUBSTANDARD

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

**PASSED**  
 \_\_\_\_\_  
**FAILED:**  
 \_\_\_\_\_  
**PASSED WITH CONDITIONS:**  
 \_\_\_\_\_  
**RE-INSPECT DATE:**  
 \_\_\_\_\_

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

1 PREMISE WAS FOUND TO BE IN REASONABLE CONDITION  
 2 AT TIME OF INSPECTION  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 5 \_\_\_\_\_

PREPARED BY: [Signature] DATE: 5-13-15  
 RECEIVED BY: [Signature] DATE: 5-13-15

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

May 6, 2015

PIZZA HUT #13  
1001 W BUSINESS 83  
PHARR, TX 78577

**INSPECTION STATUS - PASSED**

An inspection of your facility on May 6, 2015 revealed no violations.

---

1602 ROGELIO RODRIGUEZ  
Inspector

---

Eddie borrego

**RECEIVED**  
PHARR DEVELOPMENT  
SERVICES DEPT.

MAY 06 2015



# Pharr Police Department

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



To: Edward Wylie, Director City Planning  
From: Joel Robles, Asst. Chief of Police  
Date: 05/11/2015  
Re: Conditional use Permit Renewal for ABC – File No. CUP#010519 (Pizza Hut of Pharr)

RGV Pizza Hut, LLC d/b/a Pizza Hut of Pharr is requesting a 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 more fully described as follows:

Legal Description: The East 125.0' of Lot 1, Palm Heights Subdivision, Pharr, Hidalgo County, Texas

Physical Address: 1001 W. Highway 83 – Contact Number: 956-682-1521

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

### REPLY

Mr. Wylie, 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: \_\_\_\_\_

Date: 05/11/2015

**RECEIVED**  
PHARR DEVELOPMENT  
SERVICES DEPT.

MAY 11 2015

Pizza Hut of Pharr CUP Renewal

BY: \_\_\_\_\_



## **INTEROFFICE MEMORANDUM**

**To:** MAYOR AND CITY COMMISSION

**From:** EDWARD M. WYLIE, DEVELOPMENT SERVICES DIRECTOR *EW*

**Through:** JUAN GUERRA, INTERIM CITY MANAGER

**Subject:** CONDITIONAL USE PERMIT **RENEWAL** FOR ABC –  
FILE NO. CUP010519 - PIZZA HUT

**Date:** JUNE 16, 2015

---

RGV Pizza Hut LLC d/b/a Pizza Hut of Pharr, is requesting 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 more fully described as follows:

**Legal description:** The North 256.0'-East 125.0' of Block 1, Palm Heights Subdivision, Pharr, Hidalgo County, Texas.

**Physical Address:** 1001 West Highway 83.

Planning staff is recommending **approval** of the renewal of the Conditional Use Permit provided the site/applicant being in compliance with all City Ordinances and City Department requirements.



## **MEMORANDUM**

**TO:** MAYOR AND CITY COMMISSION

**FROM:** EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.

**THROUGH:** JUAN GUERRA, INTERIM CITY MANAGER

**DATE:** JUNE 16, 2015

**RE:** LIFE-OF-THE-USE CONDITIONAL USE PERMIT – FILE NO. CUP#150433  
(COLOCATION OF TELECOMMUNICATION EQUIPMENT)

### **GENERAL INFORMATION:**

**APPLICANT:** Katy Swenson, representing Sprint (SA13XC479), has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on an existing tower in a Limited Industrial District (L-I).

**LEGAL DESCRIPTION:** The property is legally described as .05 acres of land, more or less, out of Lot 379, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property is physically located within the 600 Block of West Hi-Line Road.

**ZONING:** The property is currently zoned Limited Industrial District (L-I). The surrounding area is zoned Limited Industrial District (L-I) to the North, South, East and West. The area is generally designated for industrial use in the Land Use Plan.

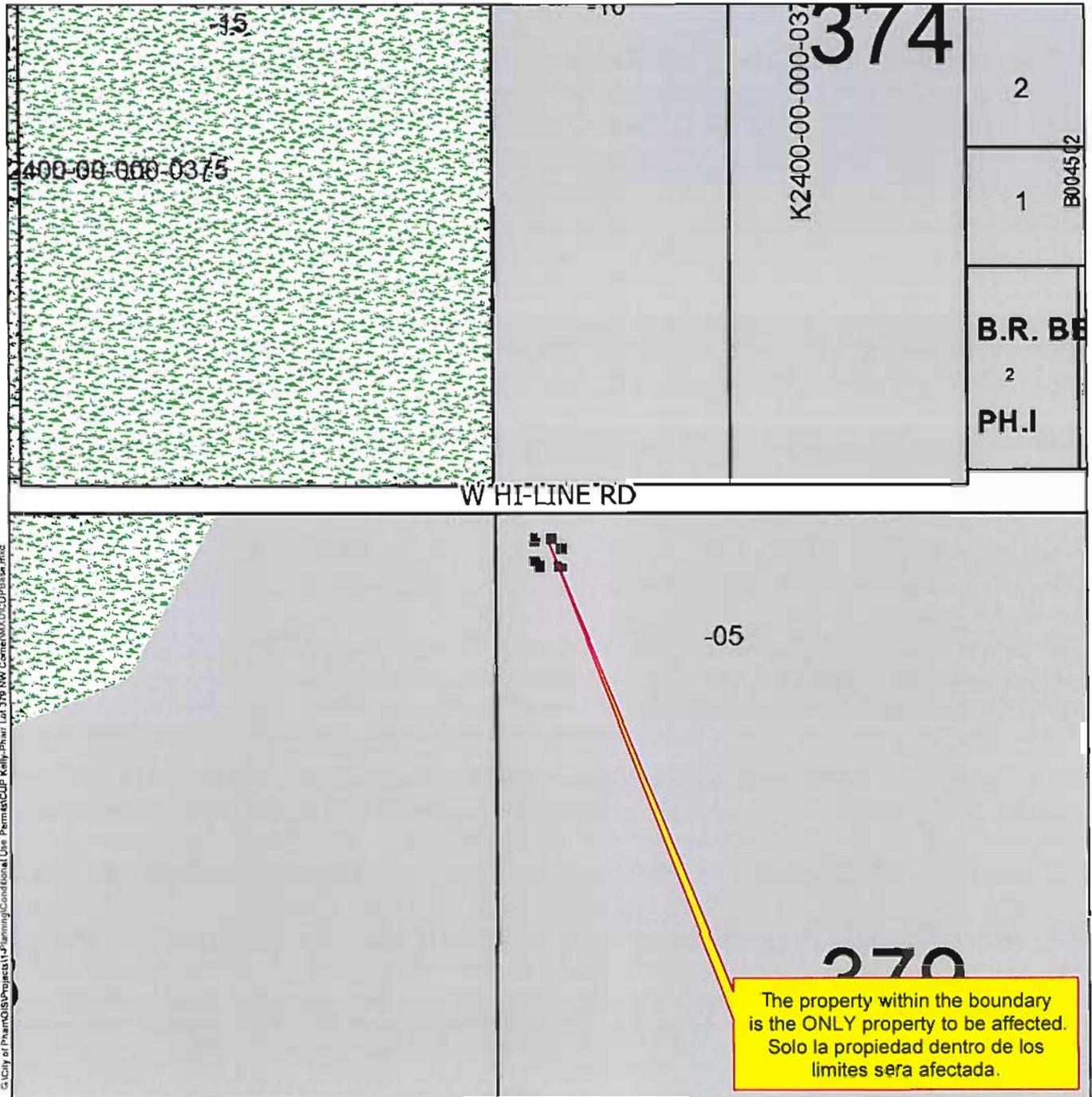
**NOTIFICATION OF PUBLIC:** Four (4) surrounding property owners were notified by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

**PLANNING STAFF RECOMMENDATIONS:** Planning Staff is recommending **approval** of the Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on an existing tower in a Limited Industrial District (L-I) subject to the following conditions:

1. The applicant shall comply with all City of Pharr Ordinance requirements. Any violation of City Ordinance will terminate this Conditional Use Permit;
2. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
3. Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate this Conditional Use Permit;
4. This Conditional Use Permit shall be issued for the Life-of-the-Use; and
5. The telecommunications tower must comply with all setback and height requirements.
6. The following shall be considered as grounds for the revocation of a Conditional Use Permit:
  - Any change in use or change in extent of use, area or location being used.
  - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
  - Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

**PLANNING & ZONING RECOMMENDATIONS:** The Planning and Zoning Commission voted unanimously to **approve** the request for a Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on an existing tower in a Limited Industrial District (L-I) subject to site being in compliance with all City Ordinances and City Department requirements.

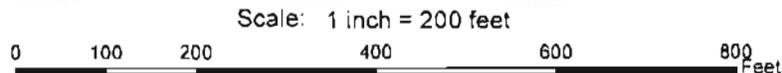
Proposed Conditional Use Permit  
 Kelly-Pharr Lot 379 NW Corner  
 Sprint / Katy Swenson



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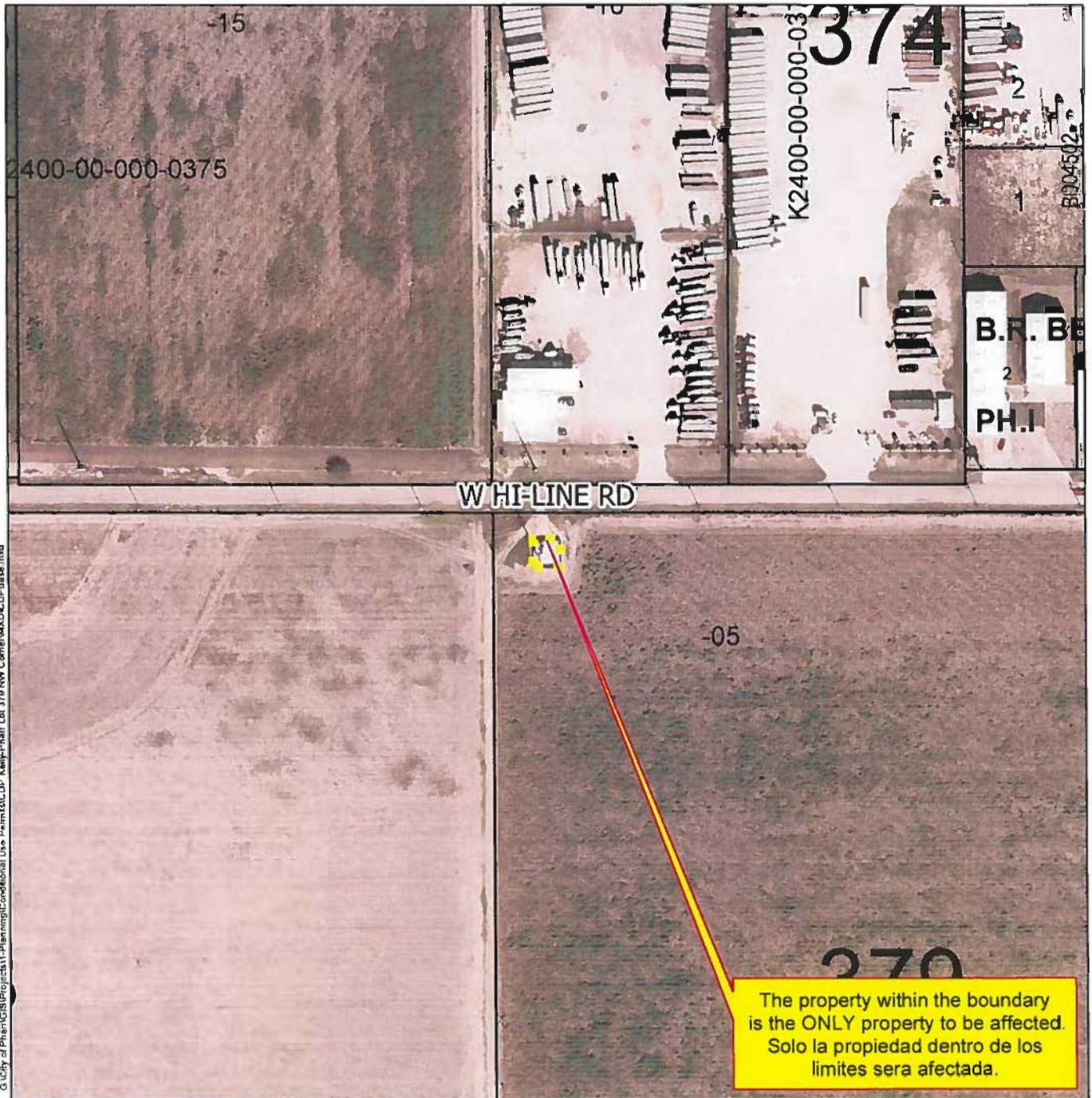
- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High 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                |                          |

City of Pharr, Texas  
 Engineering Department  
 956.702.5355



Date: 5/5/2015

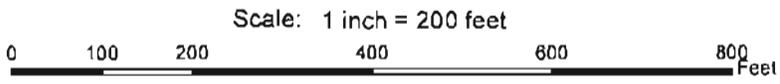
Proposed Conditional Use Permit  
 Kelly-Pharr Lot 379 NW Corner  
 Sprint / Katy Swenson



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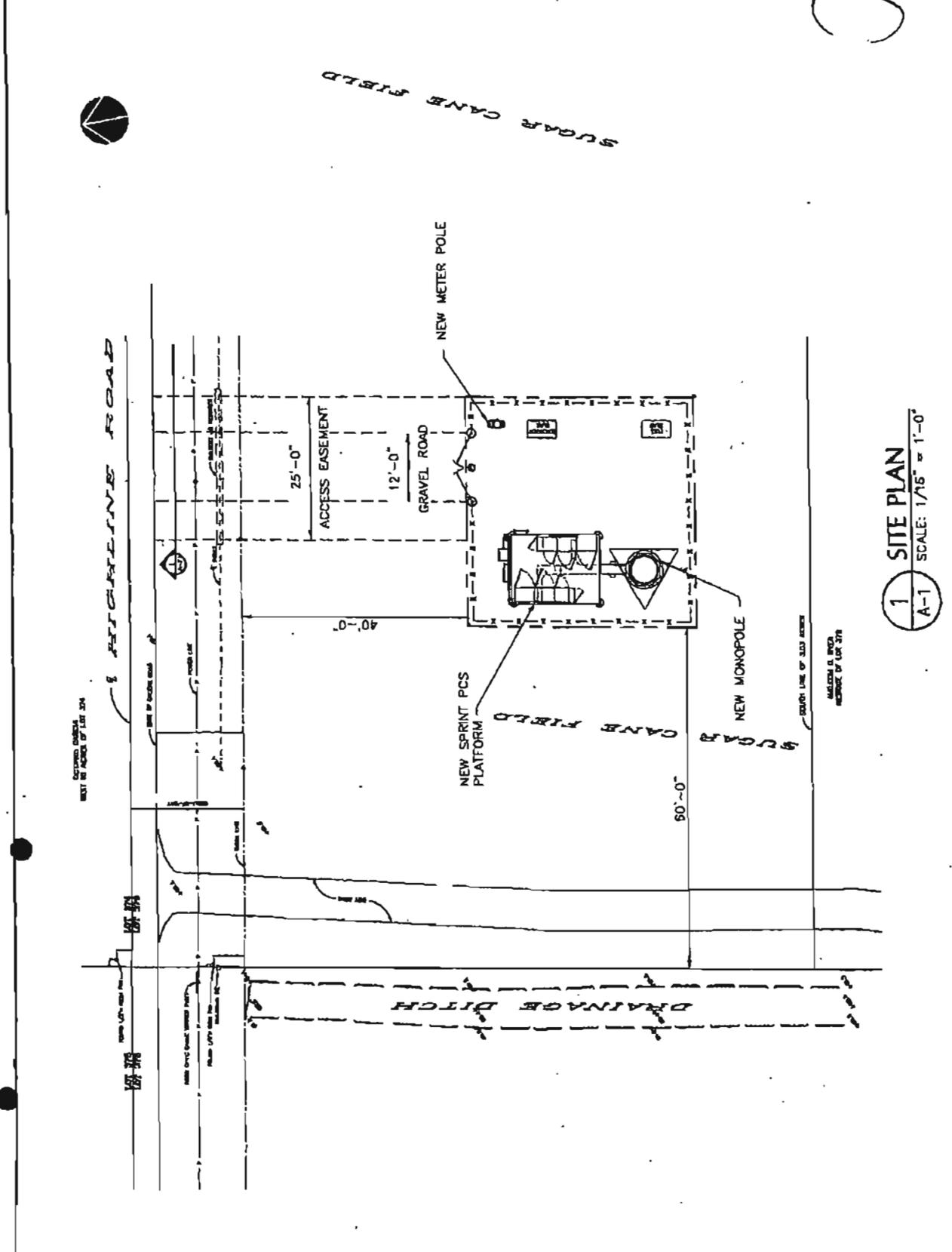
- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High 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                |                          |

City of Pharr, Texas  
 Engineering Department  
 956.702.5355



Date: 5/5/2015

CAPOTA/RAV'S CORNER PCS SITE NO. SA13XC479 HIGHLINE ROAD PEARL, TEXAS	 ArtComas Design, Inc. Architects 1840 Lookhill-Sutton, Suite 101 San Antonio, Texas 78213 (210)308-9905		SHEET: A-1
			SITE PLAN



1 SITE PLAN  
 A-1 SCALE: 1/16" = 1'-0"



## **MEMORANDUM**

**TO:** MAYOR AND CITY COMMISSION

**FROM:** EDWARD WYLIE, PHARR DEVELOPMENT SERVICES DIRECTOR

**THROUGH:** JUAN GUERRA, INTERIM CITY MANAGER

**DATE:** JUNE 16, 2015

**RE:** LIFE-OF-THE-USE SPECIAL USE PERMIT FOR CHURCH-  
FILE NO. CUP#150435 (IGLESIA EN EL VALLE MINISTRIES, INC.)

### **GENERAL INFORMATION:**

**APPLICANT:** Iglesia En El Valle Ministries, Inc., has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Special Use Permit to allow a 32 square foot wood pole sign in a Single-Family Residential District (R-1).

**LEGAL DESCRIPTION:** The property is legally described as Lots 1, 2 and 3, Block 20, Hidalgo Park Estates Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The properties physical address is 7505 South Steve Lane.

**ZONING:** The property is currently zoned Single-Family Residential District (R-1). The surrounding area is zoned Single-Family Residential District (R-1) to the North, South, East and West. This area is generally designated for single family residential and public/semi-public use in the Land Use Plan.

**NOTIFICATION OF PUBLIC:** Fifty-five (55) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received one phone call for information only.

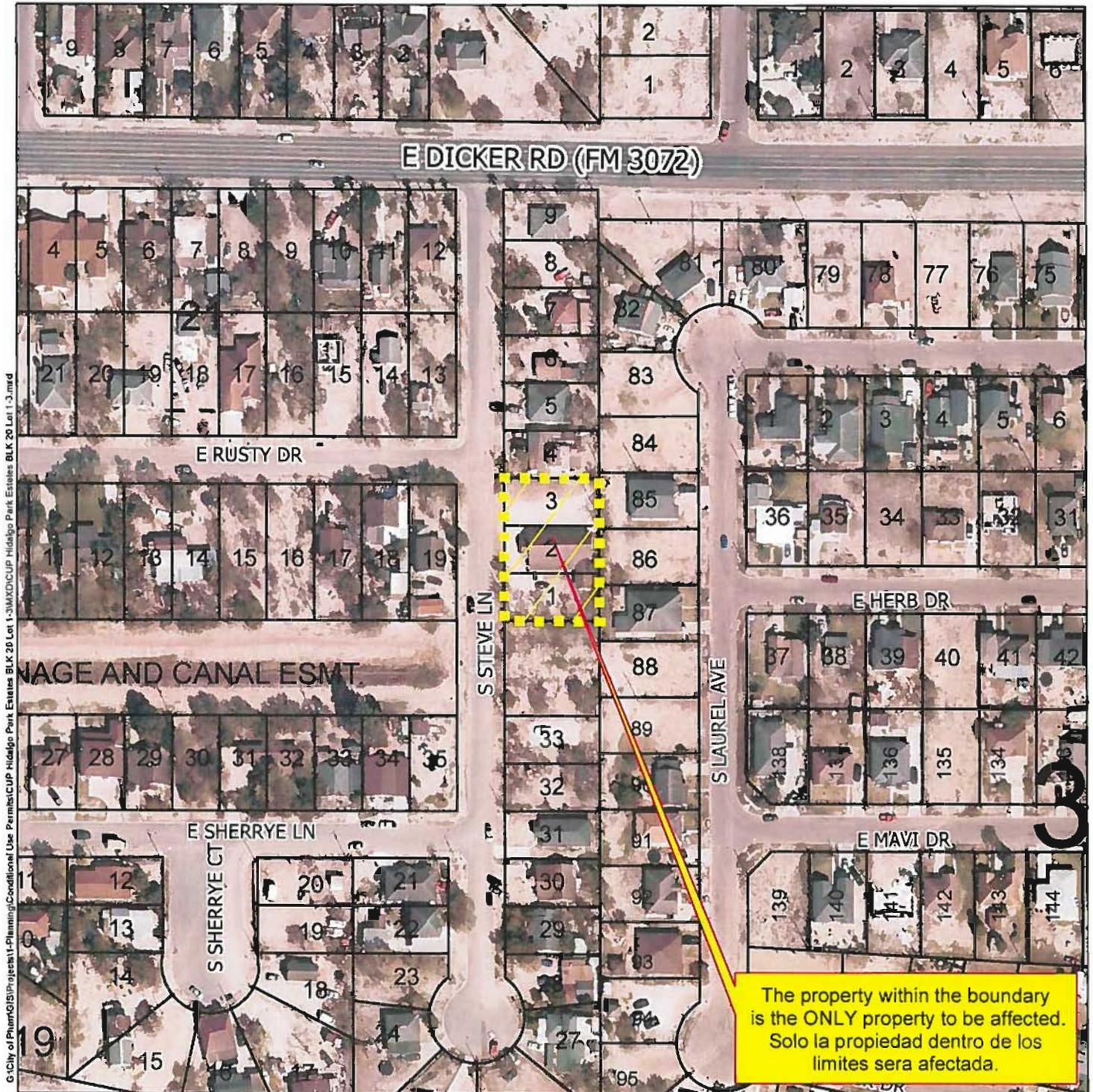
**PLANNING STAFF RECOMMENDATIONS:** Planning Staff is recommending **approval** of the request for a Life-of-the-Use Special Use Permit to allow a 32 square foot wood pole sign in Single-Family Residential District (R-1) subject to the following conditions:

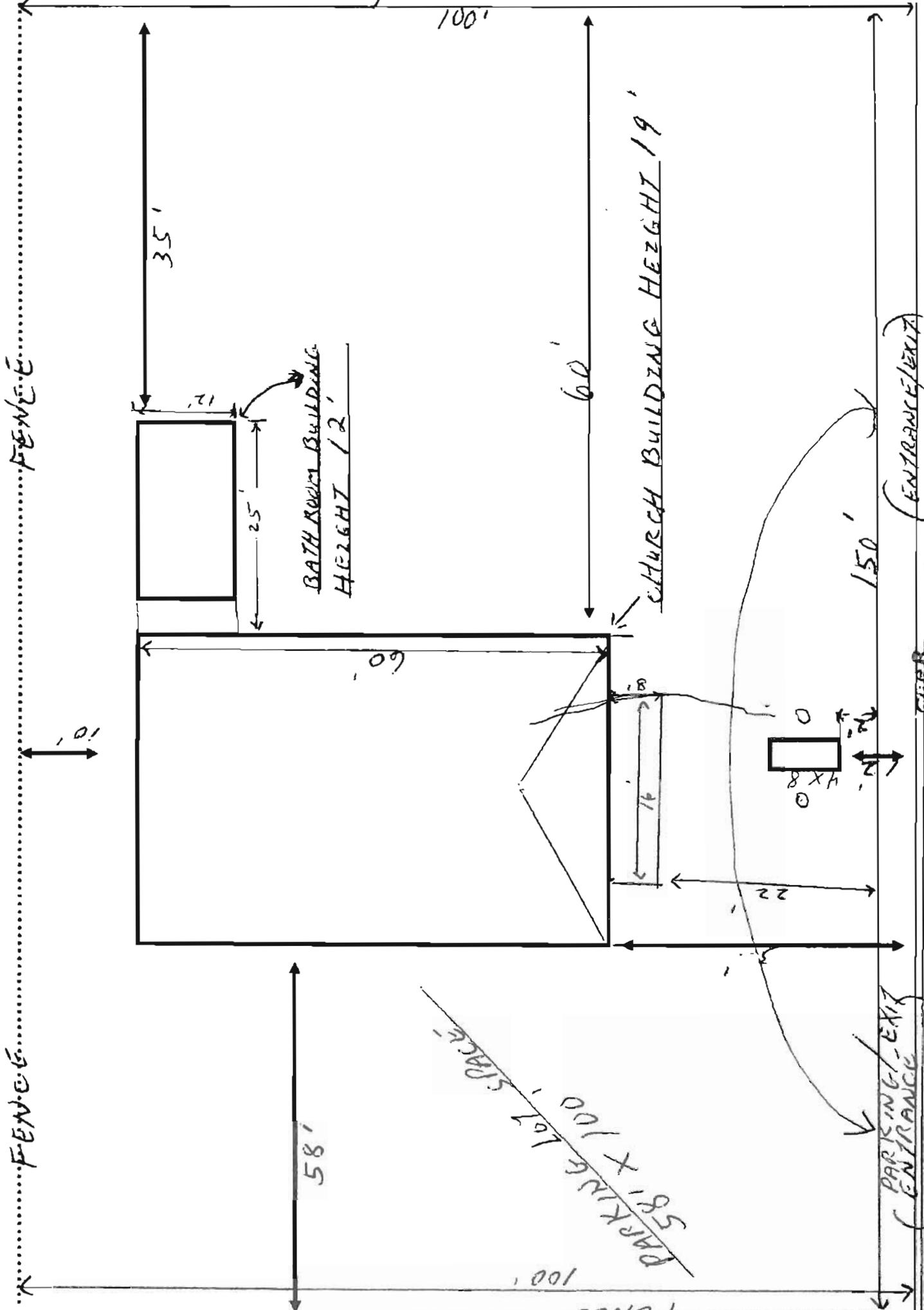
1. The applicant shall comply with all City of Pharr Ordinance requirements. Any violation of City Ordinance will terminate this Special Use Permit;
2. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Special Use Permit;
3. Any change in ownership or business entity owning or carrying out its operation on the property shall terminate this Special Use Permit;
4. A building permit is required.
5. The following shall be considered as grounds for the revocation of a Special Use Permit:
  - Any change in use or change in extent of use, area or location of the building being used.
  - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
  - Special Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

**PLANNING & ZONING  
COMMISSION:**

Planning Commission voted unanimously to **approve** the request for a Life-of-the-Use Special Use Permit to allow a 32 square foot wood pole sign in a Single-Family Residential District (R-1) subject to site and applicant being in compliance with all City Ordinances and City Departments requirements.









**AGENDA ITEM REQUEST**

6/14/15

MEETING DATE: 3/17/15 ~~4/7/15~~ ~~4/21/15~~ ~~5/12/15~~ ~~5/19/15~~ 6/2/15

INITIATED BY: Finance Dept/Juan Guerra DEPARTMENT: Finance Dept.

AGENDA ITEM: Adoption of Updated Purchasing Policy

PARTY MAKING THE REQUEST: Juan G. Guerra CFO

NATURE OF THE REQUEST: Ordinance/Resolution

**BUDGET:**

EXPENDITURE REQUIRED:

CURRENT BUDGET:

ADDITIONAL FUNDING:

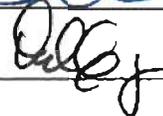
**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: Juan G. Guerra DATE: 3/6/15

**APPROVAL:**

DEPT. HEAD:  DATE: 3/9/15

ASSISTANT CITY MANAGER:  DATE: 3/9/15

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:**

Approval of Ordinance/Resolution to adopt the updated Purchasing Policy

ORDINANCE NO: 0-2015-

AN ORDINANCE AMENDING ORDINANCE NOS. 0-2012-33, 0-2010-29 AND 1985-8527, PROVIDING FOR THE DELEGATION OF THE DUTIES OF THE CITY MANAGER AS PURCHASING AGENT; ADOPTING THE CITY OF PHARR PURCHASING MANUAL AS THE AUTHORITATIVE GUIDE TO PURCHASING ACTIONS; INCLUSION IN PHARR CODE OF ORDINANCES; INCORPORATION OF OTHER ORDINANCES; REPEALING CONFLICTING ORDINANCES; SEVERABILITY; AND EFFECTIVE DATE

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

**Section 1:** The City Manager or his designated representative shall act as purchasing agent for the City and shall purchase all merchandise material and supplies needed by the City and will establish a suitable storehouse where such supplies shall be kept and from which the same shall be issued as needed. He shall adopt such rules and regulations as he shall deem necessary governing requisitions and transaction of business between himself and the department heads, officers and employees of the City.

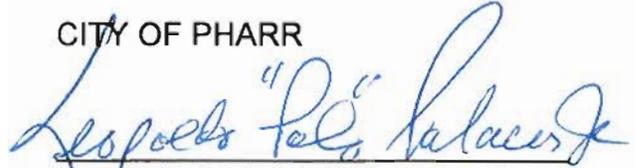
**SECTION 2: REPEALING CLAUSE.** This Ordinance, as well as the attached purchasing policies, shall be enforce and apply to all personnel and agents of the City of Pharr and vendors. This ordinance shall incorporate herein all other ordinances that exist in the Pharr Code of Ordinances not in direct conflict with this Ordinance as such are hereby abolished, and repealed to the extent of the conflict, and this Ordinance shall supersede any provisions in conflict herewith. All other provisions of the above described ordinance shall remain in full force and effect.

**SECTION 3: SEVERABILITY CLAUSE.** If any section, part of provisions of this Ordinance is declared unconstitutional or invalid, such declaration shall not affect the validity of the remaining sections, parts or provision of this Ordinance.

**SECTION 4: EFFECTIVE DATE.** This Ordinance shall take effect upon receiving final approval by the governing body following three (3) readings of the Board of Commissioners.

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

CITY OF PHARR



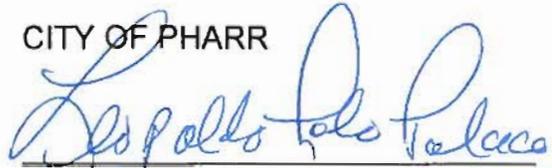
Leopoldo "Polo" Palacios, Jr., Mayor

ATTEST:

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

CONSIDERED PASSED AND APPROVED ON SECOND READING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 7<sup>th</sup> day of April, 2015.

CITY OF PHARR



Leopoldo "Polo" Palacios, Jr., Mayor

ATTEST:

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

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

CITY OF PHARR

ATTEST:

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

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



# CITY OF PHARR, TX

# PURCHASING MANUAL



**MARCH 2015**

**RECIPIENTS OF:**



*Prepared By: Finance Department*

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## **CHAPTER 1 – INTRODUCTION**

### **1.A –AUTHORITY**

As per the City of Pharr's Code of Ordinances; Ordinance No. 85-27: the Agent of Purchasing by virtue of being the City Manager's designated representative shall have full authority to purchase or provide for the purchasing of materials, supplies and equipment for the use of all departments, commissions, and boards comprising the City government. The Agent of Purchasing shall have full authority towards monitoring the activity of all purchasing for the City of Pharr and keep proper documentation of same.

The Purchasing Division is located in the Finance Department. The Finance Department will provide assistance in all purchasing activities. Each department director is responsible for their department's purchases.

This purchasing manual is subordinate to the State of Texas laws and regulations as set forth in the State of Texas Local Government Code, City Charter, and City ordinances.

### **1.B – PURCHASING DIVISION**

Per the City Manager, the Purchasing Division (Division) is a branch of the Finance Department in the City of Pharr (City). The Division's responsibility is to assist all City departments in the acquisition of goods and services at the most cost effective manner. The Division is the central point for all purchase orders.

It is the objective of the City to assure fair and competitive access by responsible vendors/contractors to the purchasing requirements of the City and to conduct business activities in such a manner as to foster public confidence in the integrity of the City. The City adheres to all State of Texas laws and regulations as set forth in the State of Texas Local Government Code and as published in the Cities purchasing manual and as approved by the City Commission of the City.

### **1.C – GOALS OF THESE POLICIES AND PROCEDURES**

The goals of the Purchasing Manual are to:

- Acquaint all persons (internal and external) in respect to the City's purchasing policies and procedures;
- Attempt to gain the most value for in every purchase;
- Provide added security in attempting to insure public spending is not used to enrich elected officials or government employees or to confer favors on favored constituents;
- Establish a good strong business-like relationship with all interested vendors;
- Ensure public funds are safeguarded. Although the purchasing office does not usually designate the types of purchases to be made, purchases are reviewed for completeness and are tested on a sample basis for adequate departmental purchasing methods;
- Ensure fair and open competition among bidders; and
- Ensure local businesses have an added opportunity in the contract awards process. This serves an interest of the City as a whole by assisting local vendors stay in business.

## **1.D – RESPONSIBILITIES OF CITY EMPLOYEES**

The City wants to promote and protect its governmental integrity. Public employees must, therefore, discharge their duties impartially to assure fair, competitive access to City procurement. All City Staff engaged in procurement for the City shall comply with the ethical standards set forth in the following section.

The employees of the City responsible for purchasing activities should:

- Purchase the proper goods or services to suit the City's need;
- Get the best possible price for the goods or services using City policies;
- Have the goods or services available when and where the City needs it;
- Assure a continuing supply of needed goods and services;
- Guard against misappropriation of City funds;
- Facilitate cooperation with other governmental units;
- Maximize competition from responsible bidders;
- Safeguard public funds and receive the best value for the public dollar;
- Never use public spending to enrich elected officials or City employees; and
- Never make purchases for personal use in the City's name.

## **1.E – PURCHASING MANUAL REVIEW**

This Purchasing Manual will be reviewed at least annually and approved by the City Commission at least every two fiscal years.

## **CHAPTER 2 – PURCHASING ETHICS (For City Representatives & Vendors)**

The statutes governing local government purchasing impose criminal penalties for violating the provisions of the various Acts enacted by the Legislature to oversee purchasing. Any misuse of the City's purchasing power carries various legal and/or future employment consequences.

The City also requires ethical conduct from those who do business with the City. City representatives and vendors/entities are required to adhere to all federal, state, and municipal laws and ordinances.

### **2.A – DISCLOSURE OF CERTAIN RELATIONSHIPS**

Effective January 1, 2006, pursuant to H.B.914 and per Chapter 176, LGC, conflict of interest should be disclosed at all times. Vendors/entities wishing to do business with the City, including those who submit bids on city contracts, make purchases of surplus city property, or participate in any other purchase or sales transactions with a city, must disclose any potential conflict of interest (example: elected member/employee of the City that provide services to the City for compensation). The City may not disqualify the entities with a conflict of interest, so long as the conflict is disclosed.

It is the entity's responsibility to notify the City of a potential conflict of interest and to fill out the questionnaire. It is the responsibility of the City's representative to inform senior management or the Division of a potential conflict of interest by the entity. Failure to do so results in a breach of ethics.

Pursuant to the requirements of Section 176.002(a) of the Texas Local Government Code, vendors or respondents who meet the following criteria must fill out a conflict of interest questionnaire no later than the 7th day after the person begins contract discussions or negotiations' with the City or submits to the City 'an application, response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with the City:

An entity/vendor or respondent that-

(1) contracts or seeks to contract for the sale or purchase of property, goods, or services with a local governmental entity;

Or

(2) is an agent of a person described in Subdivision (1) in the person's business with a local governmental entity.' Any person who meets the criteria, as for enforcement to ensure the veracity of the vendors, the statute makes it a Class C Misdemeanor to violate the vendor disclosure provisions."

Conflict of interest forms are maintained by the City's Finance Department Accounts Payable Division.

The forms required to comply with the above Government Code are available on the City's Finance Department Accounts Payable Division webpage and on the Ethics Commission website at <http://www.ethics.state.tx.us/forms/CIS.pdf>.

## **2.B – CONFLICTS OF INTEREST**

It shall be a breach of ethics for any employee of the City to participate directly or indirectly in procurement when the employee knows that:

- The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
- A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- Any other person, business or organization with which the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

## **2.C – PERSONAL GAIN**

It shall be a breach of ethics to attempt to realize unauthorized personal gain through employment with the City or by any conduct inconsistent with the proper discharge of the employee's duties. Any personal gain by a representative of the City must be disclosed and a conflict of interest form submitted to the City.

## **2.D – INFLUENCE OF A PUBLIC EMPLOYEE**

It shall be a breach of ethics to attempt to influence any City representative to violate the standards of conduct set forth by the City.

## **2.E – PARTICIPATING IN PROCUREMENT'S WITH FAMILY**

It shall be a breach of ethics for any representative of the City to participate directly or indirectly in procurement activity for the City, and failing to disclose it, when the employee knows that:

- The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
- A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- Any other person, business or organization with which the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement

## **2.F – GRATUITIES**

It shall be a breach of ethics of city employment to offer, give or agree to give any representative of the City or for any representative of the City to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or purchase

request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or sub-contract, or to any solicitation or proposal therefore pending before the City.

## **2.G – KICKBACKS**

It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for the City of Pharr, or any person associated therewith, as an inducement for the award of a subcontract or order.

## **2.H – CONFIDENTIAL INFORMATION**

It shall be a breach of ethics for any representative of the City knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person.

## **2.I – PURCHASE OF MATERIALS, EQUIPMENT, AND SUPPLIES FOR PERSONAL USE**

No City representative may purchase City property for their own personal use unless it is purchased through the City's public auction or through the sealed bid procedures of the City. This includes new and used equipment, materials or supplies.

## **2.J – PRIVATE PURCHASES THROUGH CITY FACILITIES**

No City representative may use the purchasing power of the City to make private purchases. In addition, they should not have private purchases sent to the City C.O.D. to be paid for by the representative.

- Such purchases may give citizens the erroneous impression that something dishonest is being perpetrated;
- It may be considered a mild form of blackmail on the merchant involved who desires to do business with the City; and/or
- It may evade sales tax, which is illegal

## **CHAPTER 3 – PURCHASING PROCESS**

### **3.A – GENERAL AUTHORITY**

The City has attempted to incorporate local, state and federal laws into this manual. The City, however, does not warrant that these policies include all such laws. Local, state and federal laws will prevail over these rules where applicable.

The Department Director has the authority to release a purchase order. A purchase order is a contract between the City and a vendor. The contract is not binding until it is accepted by the vendor. The City will not recognize the issuance of orders by unauthorized individuals and payment of the obligations will not be approved. Department Directors are responsible for their purchase orders. Failure to comply with the purchasing procedures may be subject to review by the City Manager. The only exceptions are emergency purchases made during or after normal working hours to keep necessary equipment or machinery in operation or to avoid work stoppage.

The Purchase Order authorizes the supplier to ship and invoice for the goods ordered and acts as a contract between the City and the supplier. The primary purpose of the Purchase Order is to expedite and control the buying activities of the City.

### **3.B – PURCHASING LIMITS AND REQUIREMENTS – NON-MAINTENANCE**

At no time shall purchases be broken down into smaller quantities or specialized activities so as to avoid the requirements stated below. It is against state law and City policy to do so.

#### **1. Purchases less than \$2,000**

Purchases less than \$2,000 do not require competitive bidding, quotation forms. Quotes may be advantageous to obtain them regardless of the purchase price, so the City encourages them at all prices. Directors may, without further approval of the Division, make purchases less than \$2,000. Directors must authorize invoices for payment and forward to the Division.

This purchase order requires approval by the following City representatives: Department Director.

#### **2. Purchases of \$2,000 to less than \$5,000**

Purchases \$2,000 to less than \$5,000 will require written quotations with at least three quote prices. This is an informal process. The Department Director will validate the authenticity of the quotations. If the department solicits only one quotation because of the lack of bidders, the department Director shall note that explanation on a quotation page. The Director will authorize the invoice for payment once the items are received. Something documenting the original quotations, supporting documentation, and invoice shall be forwarded to the Division for payment processing.

This purchase order requires approval by the following City representatives: Department Director.

**3. Purchases of \$5,000 to less than \$50,000**

The Department Director must submit every purchase request for \$5,000 or more to the City Manager for approval prior to purchasing the item. This is a formal process; quotes must be on the vendor's official letterhead/form.

The City Commission must approve in advance all capital expenditures for \$5,000 or more if the City administration proposes to award the bid to other than the low bidder meeting specifications.

This purchase order requires approval by the following City representatives: Department Director, City Manager.

**4. Purchases for \$50,000 or More**

City Commission must approve in advance all expenditures for \$50,000 or more. With the approval of the City's annual budget containing a listing of all capital expenditures, approval is already provided. If the asset is not in the annual budget's list of capital expenditures, separate Commission approval will be needed.

The requesting department will initiate the request for formal competitive bids/proposals for goods, services, or contractual needs. The City Clerk will maintain and provide guidance for all bid activities.

City Commission must grant permission to advertise for formal bids/proposals. Notice to bidders must be advertised in two (2) consecutive weeks, with the first date of publication being at least fourteen (14) days prior to the opening of the bids or proposals. The department director initiating the bid process along with a Finance Department representative will conduct a public bid opening and tabulate the bids. The Finance representative will open the bids and read them aloud in the City's effort to ensure no tampering of bid documents. Competitive bids are awarded by the City Commission. The decision is based on a combination of price, quality, delivery time and service reputation. The bid will be awarded to the lowest responsible bidder, but the City reserves the right to reject any or all bids if it is in the best interest of the City. Competitive sealed proposals, used for high technology procurements, are opened so as to avoid disclosure of the contents of proposals to competing bidders until after the award of the bid.

This purchase order requires approval by the following City representatives: Department Director, City Manager, and City Commission official approval.

**4.i Purchases Exempt From Competitive Bidding**

State law provides a number of exceptions to the competitive bidding process. Under the State of Texas' Professional Services Procurement Act, a contract for the purchase of a personal or professional service is exempt from competitive bidding requirements if the City grants the exemption.

The City may not select providers of professional services based on competitive bids. In these situations, the City must make the selection and award based on demonstrated competence and qualifications for performing the services for a fair and reasonable price.

The professional fees under the contract must be consistent with the recommended practices and fees published by the applicable professional associations and may not exceed any maximum provided by law.

Professional services include:

- Accounting;
- Architecture;
- Landscape architecture;
- Land surveying;
- Medicine;
- Optometry;
- Professional engineering;
- Real estate appraisal; or
- Nursing.

Professional services may include “members of disciplines requiring special knowledge or attainment and a high order of learning, skill and intelligence,” according to the Texas Attorney General’s Office.

Some of the areas not mentioned in the Professional Services Procurement Act that state courts and Texas attorneys general have ruled as excused under the professional and personal exemption include:

- Contracts for preparing tax rolls, tax reports, tax statements, inventory and proof rolls;
- Contracts involving the coordination of investigation of crimes;
- Contracts for services of a construction manager;
- Contracts for services of a third-party administrator of insurance benefits;
- Employment of an auditor; and
- Contracts for plat books and abstracts

Except for those professions specifically covered under the Professional Services Procurement Act and listed above, the City may still ask for competitive bids for professional services if it believes it is in the City’s best interests.

**4.ji Other Exemptions**

The following is a list of other areas that are exempt from competitive bidding requirements.

- Any land or right-of-way;
- An item that can be obtained from only one source, including:

- items for which competition is precluded because of the existence of patents, copyrights, secret processes or monopolies;
- films, manuscripts or books;
- electric power, gas, water, and other utility services; and
- captive replacement parts or components for equipment;
- An item of food;
- Personal property sold:
  - at an auction by a state licensed auctioneer;
  - at a going-out-of-business sale; or
  - by a political subdivision of the state, a state agency, or an entity of the federal government; or
- Any work performed under a contract for community and economic development made by a county designed to reasonably increase participation by historically underutilized businesses in public contract awards by establishing a contract percentage goal for those businesses.

### **3.C – PURCHASING REQUIREMENTS – REPAIR & MAINTENANCE**

Purchase of repair and maintenance services will require an open PO to be issued. The requesting department will go out for bids to obtain an hourly rate from the top 3 most advantageous businesses. During the bidding process, it must state that priority will be given to emergency equipment repair.

### **3.D – LIABILITIES NOT REQUIRING PURCHASE ORDERS**

There are certain City liabilities that do not require purchase orders due to the nature of the purchase and their billing. The only liabilities the City recognizes without purchase orders, other than those expressed in section 3.B.1, are for utility services (example: water, electricity, gas, etc...) and for payroll related liabilities (pension, health insurance, etc...).

### **3.E – PURCHASE ORDER PROCESS**

The Purchase Order (PO) process is centralized through the Division. The following steps are the basic City purchasing order procedures:

1. The Division controls all PO's.
2. The Division provides 25 blank PO forms to each department.
3. PO forms are filled out and approved per section 3.B **BEFORE** making purchases, **ENSURING** that budgeted funds are available, excluding maintenance items.
4. The department makes purchases based on departmental needs.
5. The department turns in all PO forms and invoices/statements to the Division for entry. Departments are responsible for the timely submission of all PO's, invoices, and statements.
6. The Division enters PO's throughout the month in the City's Incode accounting system.

7. The PO's are not present in the account line item detail until the PO's are posted; they are posted once payments are made.

### **3.F – PURCHASE ORDER PAYMENT PROCESS**

The timely processing of payments to vendors is addressed via State law. The Local Government Code, Chapter 2251 sets out:

- Required deadlines for payment to vendors;
- Requirements for vendors' payments to their subcontractors;
- Penalties for failure to comply with the Act; and
- Exceptions to the Act.

It requires that the City pay all payments owed not later than 30 days after the goods or services are received or the date that the invoice is received, whichever is later. This Act also requires that vendors follow the same rules for payments to their subcontractors,

When the City believes there is an error on an invoice received from a vendor, it has until the 21<sup>st</sup> day after receipt to notify the vendor of the dispute. Then, if the dispute is resolved in favor of the City, the vendor must submit a new invoice and the City has 30 days from receipt of the new invoice in which to pay. If the dispute is resolved in favor of the vendor, interest is due from the original date the invoice became overdue.

Other times when the Act provides exceptions are:

- When there is a bona fide dispute between the City and a vendor, contractor, subcontractor or a supplier concerning the supplies, materials or equipment delivered or the services performed which causes the payment to be late;
- When there is a bona fide dispute between the vendor and a subcontractor, or between a subcontractor and its supplier concerning the supplies, materials or equipment delivered or the services performed which causes the payment to be late;
- When the terms of a federal contract, grant, regulation or statute prevent the City from making a timely payment with federal funds; or
- When the invoice is not mailed to the proper office, if an office address is specified in the instructions on the purchase order.

#### **1. Standard Accounts Payable Cycle**

The Accounts Payable Division (AP) is in the Finance Department. AP works closely with the Division in ensuring the prompt payment of City purchasing liabilities.

AP's standard payment cycle is posted twice a month, on the 15<sup>th</sup> and at the end of the month. The payment cycle is as follows:

1. Invoices/statements are sent to AP AT LEAST 4 DAYS PRIOR TO PAYMENT DATE.
2. The department director responsible for the purchase liability must approve the invoice and submit the associated PO form for proper documentation
3. AP will enter the information into accounting system
4. Once all documentation is turned in and approved for payment, checks will be processed

5. Checks will then be mailed out unless specifically requested otherwise

## 2. Check Request Purpose and Use

Check Request forms are to be used for prompt payments and do not go through the standard City policy of using a semi-monthly payment cycle. They are only to be used for certain time-sensitive payment requests. Constant use of this procedure goes against the purchase order process and standard payment cycle, which leaves the door open to possible discrepancies in operations. Attempts to minimize the use of Check Requests should continue at all times. Due to the need for prompt payment, the following items are approved for the use of the Check Request procedure:

- Travel related pre-payments
- Emergency payments so as to avoid penalties or to comply with Chapter 6 of this manual
- Time sensitive **NON-RECURRING** items approved by the City Manager
- Construction contracts
- Purchase from entities that do not accept PO's
- Events Center close-out

The steps in preparing a Check Request are similar to the standard accounts payable cycle. The summary steps are as follows:

1. Check Requests must be properly filled out and approved with all data prior to being submitted to AP for processing.
2. Check Requests must be approved by the requesting department's director, City Manager, and Finance Director
3. Once filled out and proper approvals and documentation attached, AP will process it to produce a check.
4. The check will go directly to the department requesting the check request unless specifically requested otherwise.

### 3.G – UNBUDGETED EXPENDITURES

Departments may find themselves in situations where unexpected purchases are required, which are at times unbudgeted. Unbudgeted expenditures are not routine but do happen on occasion. The following outlines the City's standard procedures for unbudgeted expenditures:

- Departments will review their adopted budgets and will make every effort to purchase the required unexpected items/services utilizing their adopted budget. Budget adjustments (reallocated unexpended budget funds, not to exceed \$10,000) will be performed if there are excess funds in their budgets;
- If the department does not have sufficient budget funds to cover the unbudgeted purchase, they will contact the Finance Department to ask if there are any excess funds within the fund the department is budgeted from;
  - If Finance has concluded that there are excess funds, Finance will allow the purchase and input the funds in the department via a Budget Amendment.

- If Finance has concluded that there are no excess funds, Finance will attempt to cover the cost of the unbudgeted purchase via reallocation of another department's budget within the same fund (everyone will be notified of the budget reallocation). If reallocation of funds is not possible, Finance will not allow the purchase.

### **3.H – RECEIVING AND INSPECTION**

After an item is purchased, the task of receiving and inspection rests with all City representatives accepting the materials, goods, or supplies. This should be done as promptly as possible to take advantage of early payment discounts and/or to give the Division the processing time needed to avoid interest and penalties. All items must be inspected upon receipt, and whenever possible, in the presence of the vendor or shipper. Inspection should include:

- Verification of correct delivery site
- Verification of correct quantities
- Verification of correct PO number on the packing slip
- Checking for damaged or defective goods
- Receiving Complete Orders: sign and date the packing slip, attach the packing slip to the PO, and immediately submit it to the Division
- Receiving Partial Orders: make a copy of the P.O. and cross out any items that are not received, sign and date the partial packing slip, and submit it to the Division for processing. The original PO will be submitted for the final payment of the PO.

### **3.I – INVOICES**

An invoice is an itemized statement of merchandise or service provided by the vendor. Invoices are sent by the vendor for payment by the City after purchases are made. It contains the same information as the purchase order and is the means of settlement of financial obligations incurred when the PO is issued.

- All invoices must be sent directly to the Division where they are held until the PO receiving or partial (copy of original) has been processed
- Should the using department receive an invoice, the department will forward it immediately to the Division for prompt payment and to avoid interest penalty. Vendors should be notified that all future invoices are to be sent directly to the Division
- Payment is overdue on the 31st day after the later of: (Texas Government Code, Chapter 2251.021)
  - ✓ The date the City receives the goods under the contract
  - ✓ The date the performance of the service under the contract is completed; or
  - ✓ The date the City receives an invoice for the goods or services

## **CHAPTER 4 – QUOTATION PROCESS – FORMAL/INFORMAL**

The quotation process is the documentation of the City's purchasing representative's attempt to obtain the best purchase price available. This documentation can be informal and formal, based on the cost of the item being purchased per section 3.B.

### 1. Formal Quote

The requesting department will ask the vendor providing the quote to mail/fax/email their quote for the item being purchased. This quote must be on the vendor's letterhead/stationary.

### 2. Informal Quote

The requesting department may ask the vendor providing the quote to state their quote over the phone for the item being purchased. The quote will then be noted by the requesting department via memo format using the internal template provided by the Finance Department.

## **CHAPTER 5 – BID PROCESS (RFP/RFO)**

### **5.1 – SEALED BID OR PROPOSAL PROCEDURES**

The bid activity must be coordinated with and maintained by the City Clerk. It is the policy of the City to use a sealed bid proposal or design/build procedure in compliance with Chapter 252 of the State of Texas Local Government Code for any procurement which will total \$50,000 or more. The requesting department will prepare and solicit all procurement's requiring sealed bids.

### **5.2 – REQUIREMENTS UNDER STATE LAW**

The Texas Local Government Code requires that before a municipality may enter into a contract, other than a contract for insurance, that requires an expenditure of more than \$50,000 from one or more municipal funds, the municipality must comply with the procedure prescribed by Chapter 252.021 for competitive sealed bidding or competitive sealed proposals.

### **5.3 – ADVERTISING AND ADVERTISING TIME REQUIREMENTS**

Permission to advertise must be obtained from the City Commission. Section 252.041 of Chapter 252 requires that the sealed bid be advertised publicly with notice of the time and place at which the bids will be publicly opened and read aloud. The public notice must be published at least once a week for two (2) consecutive weeks in a newspaper published in the municipality that is listed as the City's paper of record (Advance News). The date of the first publication must be before the 14th day before the date set to publicly open the bids. In addition to the paper of record, the City, at its option, may also advertise online and with other publications and/or organizations.

### **5.4 – BID SPECIFICATIONS AND DEPARTMENT REQUISITIONS**

All sealed bids must include a set of complete and detailed specifications of the item or items and/or services to be purchased. **THE CREATION IS THE SOLE RESPONSIBILITY OF THE REQUESTING DEPARTMENT.** The Finance Department will assist the requesting department in any way necessary, but will not be responsible for the final content of the specifications. The City Clerk is responsible for all remaining parts of the bids/proposals terms, conditions and document requirements including any legal terminology required by law.

Vendors can be consulted as a source for specification information as long as they are advised that a sealed bid procedure will be used and the vendor cannot be treated with any type of favoritism. Specifications used by other governmental entities or sources is acceptable, and therefore, should be contacted if needed for this assistance. In addition, previous specifications submitted to Finance will be kept available for reference.

In order to assure fair and competitive bids, brand names should not be used in specifications unless it is made clear to each bidder that the brand name is being used for reference only. This can be accomplished by adding an "or equal" statement behind the brand name. This statement will indicate to the bidder that other brand names will be considered if they offer specifications that are equal or better than the specifications listed in the bid. Brand names can be specified, as

the only brand that will be accepted in cases where the brand specified is the only product that will work with the existing parts or equipment.

An approved purchase order must be submitted to Finance for all formal bids and proposals. The requisition must include the funding account number and budgeted amount authorized for the purchase. The requisition along with the specifications should be submitted for approval as called for in the purchasing manual. **WITHOUT THE AUTHORIZED APPROVALS INDICATING SUFFICIENT FUNDS ARE AVAILABLE FINANCE WILL NOT PROCESS A BID.**

## **5.5 – BID PREPARATION AND ADMINISTRATION**

All sealed bids and proposals will be prepared and administered by the requesting department and coordinated with the City Clerk. The only exceptions are projects that involve engineering and architect design services. The requesting department will be responsible for notifying the City Clerk on any bid or proposal that they issue, the dates of any advertisements, pre-bid conferences and bid opening dates. The City Clerk will be responsible for posting the bids on the City Internet Web site to insure all bid information is available on the Web site. On both bids and proposals, a bid number will be assigned and advertising dates, pre-bid meeting dates and the bid opening date set. The Finance Director or his designee or the designee assigned for bids/proposals will be responsible for the bid opening and reading of the bids received. Once opened, a pre-audit bid tabulation will be created. Once a complete audit and bid tabulation is completed by the requesting department, the tabulation along with all bids will be sent to the City Clerk. When all bids have been reviewed, the requesting department will be responsible for submitting to the City Clerk a recommendation of bid award and background wording to be included in the Agenda Memo to the City Commission.

## **5.6 – BID OPENING PROCEDURES**

Receiving competitive bids and proposals must be done properly in order to ensure that no possibility of favoritism or even the appearance of favoritism exists.

Each bid or proposal must be returned to the City Clerk's office, with the bid/proposal identification number marked on the outside of the envelope/box. Only one bid/proposal should be submitted per envelope. If more than one bid is to be submitted, require that the vendor use separate envelopes for each one. The bid/proposal envelope should be time and date stamped in the designated office as soon as it is received. The bid/proposal envelope should then be filed unopened together with the other bids/proposals for the same invitation/request number.

Bids/proposals are opened at the hour specified in the invitation/request at the place named in the RFP. Vendors and the public are invited and encouraged to attend the bid opening. In case no observers attend the bid opening, always have a member of another office act as witness so that charges or irregularities can be disproved.

In order to establish a standardized format of bid openings the following procedures should be followed:

1. The Finance Director or his designee or the designee assigned by the requesting department bids shall conduct all bid openings.
2. In addition to the Finance Director or his representative there will be at least one city employee from the department who submitted the purchase request at all bid openings. This employee will be knowledgeable of the bid specifications and should be prepared to answer all questions that pertain to the specifications. At bid openings the requesting department representative will act as the recorder of all information that is read at the bid opening and will publicly confirm that all information was read completely and truthfully.
3. At Bid Openings all bids will be opened and all pricing will be called out in accordance with the bid opening procedures.

### **5.7 – BID RECOMMENDATIONS AND STATE LAW REGARDING BID AWARDS**

The requesting department is solely responsible for reviewing the specifications offered in each bid to insure the specifications meet the bid requirements and must provide a review of any bid that did not meet the specifications. If the bids offered meet the specifications requested, the recommendation may then be made based on the procedures set out in the State of Texas Local Government Code Chapter 252, Sub Chapter C, 252.043. Under this chapter entitled Award of Contract, the City may award the contract based on:

Sub-section (a) If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or the bidder who provides goods or services at the best value for the municipality”.

Sub-section (b) In determining the best value for the municipality, the municipality may consider:

- (1) the purchase price;
- (2) the reputation of the bidder and of the bidder’s goods or services;
- (3) the quality of the bidder’s goods or services;
- (4) the extent to which the goods or services meet the municipality needs;
- (5) the bidder’s past relationship with the municipality;
- (6) the impact on the ability of the municipality to comply with laws and rules relating to contacting with historically underutilized businesses and non-profit organizations employing persons with disabilities;
- (7) the total long-term cost to the municipality to acquire the bidder’s goods or services; and
- (8) any relevant criteria specifically listed in the request for bids or proposals.

Sub-section (c) Before awarding a contract under this section, a municipality must indicate in the bid specifications and requirements that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.

Sub-section (f) The Governing body may reject any and all bids.

Sub-section (h) If the competitive sealed proposals requirement applies to the contract, the contract must be awarded to the responsible offeror whose proposal is determined to be the most advantageous to the municipality considering the relative importance of price and the other evaluation factors included in the request for proposals.

In addition under the State of Texas Local Government Code Chapter 271, Sub Chapter 271.9051 a Municipality may consider a bidder's principal place of business where the Municipality has a population of 250,000 or less. The sections of this Sub Chapter states:

(b) In purchasing under this title any real property, personal property that is not affixed to real property, or services, if a municipality receives one or more competitive sealed bids from a bidder whose principal place of business is in the municipality and whose bid is within five percent of the lowest bid price received by the municipality from a bidder who is not a resident of the municipality, the municipality may enter into a contract with:

- (1) the lowest bidder; or
- (2) the bidder whose principal place of business is in the municipality if the governing body of the municipality determines, in writing, that the local bidder offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the contract award, including the employment of residents of the municipality and increased tax revenues to the municipality.

(c) This section does not prohibit a municipality from rejecting all bids.

Other considerations of a bid award may be:

- the safety record of the bidder considered
- Companies or individuals indebted to the municipality
- Inclusion of required bonding and insurance
- Any other consideration as listed in the State of Texas Local Government Code

### **5.7.1 – BID NUMBER SEQUENCES**

The bid number will consist of four sections totaling 13 digits. The first sections will consist of four digits indicating the fiscal year. The next section will consist of two digits indicating the fund. The third section consists of three digits identifying the requesting department's departmental account number. The last section consists of the number of bids the City as a whole has managed throughout the fiscal year. The City Clerk is responsible for assigning the bid number to the requesting department.

### **5.8 – BID DISCREPANCIES AND DISQUALIFICATIONS**

There are several reasons that require a bid to be disqualified. These reasons are as follows:

- I. Any bid received that is not signed by an authorized company representative.

2. Any bid received that did not return required information such as addendum/s, bonding and/or insurance requirements. This requirement may be waived as a technicality but must be approved by the City Attorney's office.

3. Also subject to disqualification are bids/proposals where prices are conditional on award of another bid, or when prices are subject to unlimited escalation. If allowed by the specification, prices may be subject to escalation based on an independent wholesale index. (e.g., for oil and gas products, the net terminal price or current Oil Price Information Service prices.)

#### **5.9 – AGENDA REQUIREMENT RESPONSIBILITIES (ALL CAPITAL PURCHASES/PROJECTS)**

All capital items purchased by the City must be submitted to the City Commission for approval. During the budget process, all capital items are budgeted and approved by the City Commission once they approve the budget. The capital items needed outside of the budget process must be submitted to the City Commission for approval after ensuring adequate funds are available.

#### **5.10 – RELEASE OF BID INFORMATION**

All requests for historic information concerning a bid, specifications on a bid or other matters relating to bids of the City can only be conveyed via an open records request and should be made through the City Clerk's Office. All open records request forms are to be kept and filed in a manner that makes retrieval of the information that was requested and the information that was returned easily accessible.

#### **5.11 – CHANGE ORDERS**

After awarding the contract, the governing body may make changes to plans, specifications or quantities if necessary. But the total contract amount may not be increased unless the increase will be paid from current funds, or is provided for by issuing debt. If a change order involves a decrease or an increase of \$25,000 or less, the governing body may grant general authority to an administrative official of the municipality to approve the change orders. No increase of more than 25 percent may be made, and the contractor must agree to any decrease of 25 percent or more.

#### **5.12 – BONDING**

By State Statute, any person, persons, firm, or corporation (prime contractor) entering into a contract in excess of \$ 50,000.00 with the City for the construction, alteration or repair of any public building or prosecution of completion of any public work, shall be required before commencing such work, to provide the following bonds, issued by a corporate Surety duly authorized and admitted to do business in the State of Texas.

**PUBLIC WORK:** Although the term public work is not defined by statute, it is generally understood to mean construction, repair, or renovation of a structure, road, highway, or other improvement or addition to real property. Contracting for demolition of real property would also fall under this definition.

### **5.12.1 – BONDING REQUIREMENTS**

To ensure that the successful bidder will enter into a contract with the City and complete the project as defined by the bid specifications, bidders may be required to provide the City with surety bonds guaranteeing successful completion of the contract. There are three types of surety bonds commonly used with City contracts; the bid bond, performance (and maintenance) bond, and the payment bond. A surety is a firm (usually an insurance company) that will guarantee that the bidder will perform as defined by the specifications. The City will only accept corporate sureties as bonding entities. Personal sureties are unacceptable.

### **5.12.2 – BID BOND**

It is the City's option whether or not to require bidders to provide the City with a bid bond along with their bid submissions. State statutes do not address bid bonds for Municipalities.

Bid bonds are issued by a Surety financially guaranteeing that the successful bidder will enter into an agreement with the City to perform the project or provide the service as defined by the specifications. The City requires that the bid bond be accompanied with an appropriately completed "Power of Attorney" executing the bid bond for the bidder. As an alternative, the City may accept a cashier's check, with the City named as payee, to be held in escrow until the successful bidder signs the City's project contract.

**BID BOND AMOUNT:** The bid bond minimum limit (or cashier's check) is five percent (5%) of the total amount bid.

### **5.12.3 – PERFORMANCE BOND**

Performance bonds financially guarantee that once the successful bidder enters into a contract with the City to perform work, the contractor will complete the project. Should the contractor fail, then the Surety will, generally, hire an alternate contractor to complete the work, allow the City to select another contractor and pay the difference between the first contractor's price and the new contractor's price, or pay the original contractor whatever it takes to complete the project.

**PERFORMANCE BOND AMOUNT:** Performance bonds must be written for one hundred percent (100%) of the total bid price.

#### **5.12.4 – PAYMENT BOND**

A payment bond will pay any outstanding bills for labor, materials, and supplies used in the City's project from the contractor's subcontractors and suppliers should the prime contractor default on their payment.

**PAYMENT BOND AMOUNT:** Payment bonds must be written for one hundred percent (100%) of the total bid price

#### **5.12.5 – MAINTENANCE BOND**

Maintenance bonds financially guarantee that the Contractor will maintain and keep in good repair the work contracted to be done and performed from the date of acceptance of the work by the City for a predetermined period of time. For public works projects, the bond would also include any necessary back filling that may arise because of sunken conditions in ditches.

The bond is designed to provide financial protection to the City for all defective conditions arising by reason of defective material, work, or labor performed by the Contractor. In the event the Contractor does not fulfill its maintenance obligation, the bonding company will pay to maintain the project as defined in the contract specifications.

#### **5.13 – INSURANCE REQUIREMENTS**

Whenever the City contracts with an outside party (contractor, consultant, vendor, or concessionaire) for goods or services, the bid or request for proposal that is released to the public should include an indemnity clause (hold harmless clause), along with a contractual agreement, to be executed upon award of the contract, that transfers the risk of the project from the City to the contractor. Because the contractor may or may not have the financial resources to handle the risks that are transferred in the contract, the City requires that insurance be purchased and maintained by the contractor for financial security.

Most contracts are tailored for individual projects and programs; therefore, certain elements of the insurance required should be addressed in every contract document. One of the most important elements is the actual insurance coverage, which include the coverage types and limits that are dependent upon the nature of the project/program.

Although not all of the coverage's are required for every project (and limits will vary by exposure), understanding the coverage's provided by these policies is important to assure that all of the City's potential liabilities and exposures from the project are properly protected. Should any questions arise about the amounts of types of insurance requirements the initiating department should contact the Risk Managers office.

## **5.14 – TECHNOLOGY COMPETITIVE SEALED PROPOSALS**

Municipalities may use the Competitive Sealed Proposal procedure for high technology procurements. Local Government Code 252.021. High technology procurement is defined as the procurement of equipment, goods, or services of a highly technical nature, including, but not limited to: data processing equipment, software, and firmware used in conjunction with data processing equipment, telecommunications equipment, radio and microwave systems, and electronic distributed control systems (including building energy management systems), and technical services relating to such items.

Notice requirements for high technology proposals are the same as for general contracts. Requests for Proposals must solicit quotations and must specify the relative importance of price and other evaluation factors. The City may hold discussions with bidders who submit proposals and are determined to be responsibly qualified for the award of the contract. Each bidder must be treated fairly and equally with respect to any opportunity for discussion and revision.

Proposals are evaluated one against the other, and then initially ranked. The proposals are then negotiated, and re-ranked. Further negotiations will be required and a final selection made. A department head or his designee may meet in private session with each proposer, and negotiate for exactly what is needed. Negotiations are not limited to one meeting.

Offers shall be treated fairly and equally with respect to any opportunity for discussion and revision of proposals. To obtain the final offers, revisions may be permitted after submissions and before the award of the contract. Throughout the proposal process, information identified by the vendor as trade secrets or proprietary information, and contained in the proposals, must be kept confidential by law.

After proposals are received, the City may enter into negotiations with as many vendors as have submitted feasible proposals in order to arrive at the best possible proposal for each vendor.

## **CHAPTER 6 – EMERGENCY PURCHASES**

The City may make emergency or exempted purchases without competitive bidding under specific circumstances. Purchases that are required immediately for purposes that could not reasonably have been foreseen are generally exempt from bids. They may be subject to other requirements, however, such as certification that an emergency exists. When it is necessary to preserve or protect the public health, competitive bidding requirements are waived regardless of how the conditions were brought about. If there is time to give proper notice and for an advertisement to be made, then it is not an emergency situation.

### **6.A – Procedure for Making Emergency Purchases**

The following are procedures for dealing with emergency purchases:

- **Qualification:** The purchase must qualify as an emergency purchase as defined in state law local government code chapters 252, 262 and 271.
- **Designation:** The emergency purchase designation indicates a situation of such urgency that the normal purchasing procedure must be modified in the interest of speed, and therefore no competitive bids are required.
- **Normal working hours:** All emergency purchases occurring during normal working hours are processed through the City as follows:
  - The requesting department will notify the Division by telephone immediately, with as much information as possible about the emergency purchase required, so that the purchasing action can be initiated immediately;
  - Simultaneously, a PO is prepared and hand-carried through the approval process;
  - The requesting department contacts as many vendors as necessary to arrange the emergency purchase. If there is not enough time to get authorization, the purchase can be completed by telephone, and the purchase order completed after the fact and delivered to the vendor; and
  - The buyer requests expedited delivery. The person making the requisition may be required to pick up the emergency purchase from the vendor if timely delivery is not available.
- **Evenings, weekends and holidays:** When purchasing support is unavailable, process emergency purchases as follows:
  - The responsible official of the requesting department takes whatever steps are necessary to procure needed supplies, services or equipment to relieve the emergency. If possible, only those goods or services needed during the evening, weekend or holiday are procured; and
  - On the first working day following the emergency, the responsible official prepares a PO and hand carries it to the Division. The person making the purchase must attach the invoices, bills of materials, receipts or other documents related to the purchase to the PO.
- The official in charge of the requesting department must certify in writing on the next business day, or as soon as possible, why the emergency purchase was necessary and why it was an emergency.

## **CHAPTER 7 – SOLE SOURCE PURCHASES**

Quotes are not required if the materials, goods, or supplies can only be purchased from a sole vendor, in other words, a sole source. Reasonable efforts must be made to ensure purchases from sole sources are correctly classified as such. Materials, goods, and/or supplies cannot be requested so as to remove other suitable alternative vendors/sources. Sole source purchases are subject to possible review by the City Attorney.

For a sole source purchase, at least one (1) of the following must exist:

- Available from only one source because of patents, copyrights, secret processes, or natural monopolies
- Films, manuscripts, or books
- Gas, water, and other utility services, (in most instances)
- Captive replacement parts or components for equipment
- Books, papers, and other library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials; and
- Sole source purchases are approved only after the lack of alternate sources has been determined and proof of sole source is documented via memo by the department director.

The requesting department should do everything possible to strengthen the City's bargaining position. Costs related to procurement should always be considered before an order is issued. Post-purchase costs could include multi-year maintenance contracts, replacement parts or trade-in value.

### **7.A – Procedure for Sole Source Purchases**

Sole source purchases are handled the same as other purchases, with these exceptions:

1. The Finance Director must approve all sole source purchases. The approval should be done before a PO is issued.
2. The PO is then completed in accordance with the standard purchasing procedures.
3. If the item is a sole source purchase, the requesting department director must prepare a statement and attached it to the PO that says a sufficient number of vendors have been contacted to determine that only one practical source of supply exists or states the reasons only one source exists. This statement must be attached to the PO.

## **CHAPTER 8 – 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 or equivalent service;
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 8.B.

Personal property does not include real estate such as land, including the building or improvements on it, or its natural assets, such as minerals and water. The City may sell real property owned by the City by sealed bid under Local Government Code §272.001 or by public auction under this section.

To sell real property by public auction, the City must publish notice of the auction. According to Local Government Code, §253.008, the notice must be published once a week for at least three consecutive weeks, with the first publication at least 20 days before the date the auction is held, in a newspaper of general circulation in both the county in which the City is located and the county in which the property is located. The notice must contain a description of the property, including location, and the date, time and location at which the auction is to be held.

### **8.B – SALVAGE MATERIAL**

Disposal of salvage materials, scrap metals, copper, brass, etc., may be sold after attempting to obtain 3 offers.

## CHAPTER 9 – CREDIT CARDS

### **9.A – CREDIT CARD USE AUTHORIZATION**

Credit card purchases are authorized for:

- Unforeseen non-routine, charges that are considered an emergency need
- Travel related charges
- Meeting preparation purposes
- Vendors that do not accept PO's

### **9.B – Responsibilities**

Management of the City's credit cards require a team effort. The levels of responsibilities are as follows:

#### ➤ **Cardholder**

- Comply with all purchasing policies and procedures.
- Review, Approve and Initial receipts, card holder statement/department summary.
- Hold and secure credit card.
- Compare charge slip with receipts and verify totals are the same.
- Turn in all charge slips, invoices, receipts daily to department representative.
- Notify Finance Department of lost and stolen card.
- Responsible for all missing documentation.

#### ➤ **Department Representative**

- Receive daily all receipts, charge slips, invoices and credit slips.
- Verify receipt total and charge slip total agree.
- Write general ledger account number on each receipt.
- If the card is used for meals, ~~must~~ write on receipt who was present and purpose of the meal.
- Have cardholder sign each receipt as a validated charge.
- Reconcile monthly card statement total for agreement with receipts.
- Submit cardholder statement and supporting receipts in a timely manner (2 days after the purchase) to the Finance Department.
- Comply with all purchasing policies and procedures.

#### ➤ **Finance/Account Administrator**

- Monitor charges for proper account codes and fund availability.
- Receive approved cardholder statements, receipts and supporting documentation.
- Confirm charges/receipts are authorized by department representatives and/or cardholder.
- Check individual receipts for account coding accuracy.
- Notify departments when approved monthly department statements are not received.
- Notify Credit Card Company of any disputes.
- Initiate training program for all cardholders/department representatives.

- Cancellation/termination of credit cards.
- Coordinate and maintain internal controls.
- Receive monthly City statements.
- Receive approved cardholder statements, receipts, and summary reconcile statements to City Total Summary.
- Pay all non-disputed monthly charges for consolidated statement.
- Process accounting data and issue accounts payable check.
- File and store statements, receipts, monthly check and etc.

#### **9.C – LIMITATIONS ON USE OF CREDIT CARD**

The credit card is to be used for City authorized purchases only. The card cannot be used for any personal use. Any such use will require immediate reimbursement and will result in disciplinary action, which may include dismissal.

#### **9.D – MISSING DOCUMENTATION**

If for some reason the cardholder does not have documentation of the transaction to send with the statement, the cardholder must try to obtain a copy and if this is not possible, detail the purchase must be attached via memorandum. The detail will include a description of each item, the number of items purchased, the unit cost, the date of purchase, the vendor name and why there is no supporting documentation. Continued incidents of missing documentation will result in disciplinary action, to include cancellation of credit card for six months.

#### **9.E – DISPUTES/RETURNS**

The Finance Department must be notified of all disputes. All documentation concerning the disputed items will be turned into the Finance Department as soon as possible. The Finance Department will contact the Credit Card Company and follow dispute procedures.

The Cardholder is responsible for obtaining a credit memo from a supplier, when the merchandise that was purchased with the City Credit Card is returned to the supplier. The credited amount will be applied to the cardholder's account. **Cash refunds are prohibited.**

#### **9.F – RECONCILIATION OF CREDIT CARD PURCHASES**

1. The Credit Card Company will mail/email billing statements to the Finance Department and in return Finance will send a departmental statement to the each department representative. Statements will list all transactions processed during the billing cycle.

2. Department Representative reconciles receipts against monthly statement within two (2) days of receipt.
3. Cardholder must sign and approve all

#### **9.G – LOST OR STOLEN CREDIT CARDS**

If a credit card is lost or stolen, the cardholder or department representative must immediately notify the Finance Department. The cardholder will be responsible for reporting all information necessary to reduce the liability to the City for a lost or stolen card. Disciplinary action will be taken in the event that the Finance Department is not notified.

#### **9.H – TERMINATION OR TRANSFER OF CARDHOLDER**

When an employee ends his or her employment or is transferred to another department, the Finance department must be immediately notified to ensure that the card is canceled or necessary action is taken. Credit Card is to be collected by the Department Representative and sent to the Finance Department for cancellation.

## **CHAPTER 10 - MISCELLANEOUS**

### **10.A – SALES TAX**

The City of Pharr is exempt from all Federal Excise Tax And the State of Texas Limited Sales Excise and User Tax. All purchases should be tax exempt.

### **10.B – PREFERENCE TO LOCAL VENDORS**

The City will always make every effort to purchase from Pharr vendors. This preference is deemed as being in the best interest of the city. Local vendors are afforded a 5% cost difference in comparison to non-Pharr vendors. This preference applies to items under the State of Texas bid mandated purchasing per section 3.B.

### **10.C – PURCHASING THROUGH STATE CONTRACTS**

Through cooperative purchasing, the City can save time and money in our purchasing procedures. The Local Government Code (§§271.081 - 271.083) provides for purchasing by the City through state contracts. This frequently saves time and effort in local purchasing. In addition, all statutory bidding requirements are satisfied when purchases are made through state contracts, and the vendors are frequently the same ones with whom the City is already dealing.

There may be some drawbacks. Some prices on state contracts may not be as low as a local contract. Requesting departments should also consider levels of service and other service related options not included on the contract or in the quoted price.

### **10.D – PURCHASES OTHER THAN COOPERATIVE PURCHASING USING FEDERAL & HOMELAND SECURITY FUNDS**

If purchases are made from other than a cooperative purchasing contract using federal funds, example: Homeland Security Funds, the department purchasing shall:

1. Check with the GSA Excluded Parties List System (EPLS) website [www.epls.gov](http://www.epls.gov) to verify that the vendor to be used by the City is not on the excluded parties list. Due to the EPLS constantly changing, this action needs to be done every time a purchase order is issued.
2. Attach a copy of the screen indicating the vendor is not debarred at the time of the procurement and include that copy with the procurement records for audit and monitoring purposes. If the vendor is debarred, we cannot do business with that vendor.

### **10.E – EMPLOYEE REIMBURSEMENT FOR CITY EXPENSES**

The City will reimburse purchases made by employees on behalf of City business. Items that are not reimbursable include: tobacco products, alcoholic beverages, and other questionable expenses. Questionable expenses will ultimately be decided upon by the City Manager.

## **10.F – PURCHASING LAWS**

Texas purchasing law is located in a number of places in the statutes. City purchasing is primarily in Chapter 252 of the Local Government Code. Statutes pertaining to both cities and counties, plus other types of local governments, are included in Chapter 271 of the Local Government Code. Conflicts of interest by local government officials are covered in Chapter 171 of the Local Government Code.

Other statutes pertaining to purchasing or contracting are in Vernon's Civil Statutes or in other parts of Vernon's Texas Codes. Since the law is so fragmented, it is helpful to have this listing of where to find different statutes and each act's general contents.

Attorney general opinions offer valuable guidance in interpreting and applying the laws. Consult them whenever questions arise. The attorney general's opinions are available from:

Attorney General of Texas  
Opinion Committee  
209 West 14th Street  
Austin, TX 78701-2548

Telephone (512) 463-2110

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**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.

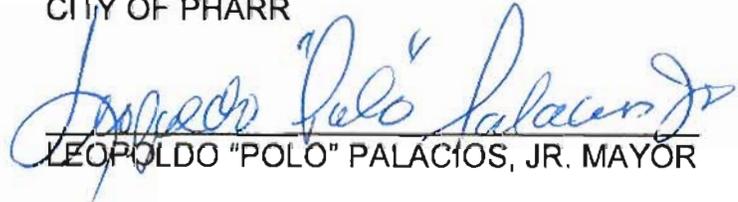
**SECTION 11. CUMULATIVE CLAUSE; REPEALING CLAUSE.** The ordinance shall be cumulative of all ordinances dealing with the same subject and any provision in conflict with this ordinance is hereby repealed and the provisions of this Ordinance supersedes. The invalidity of any section, clause, sentence 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  
  
LEÓPOLDO "POLO" PALACIOS, JR. MAYOR

ATTEST:

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

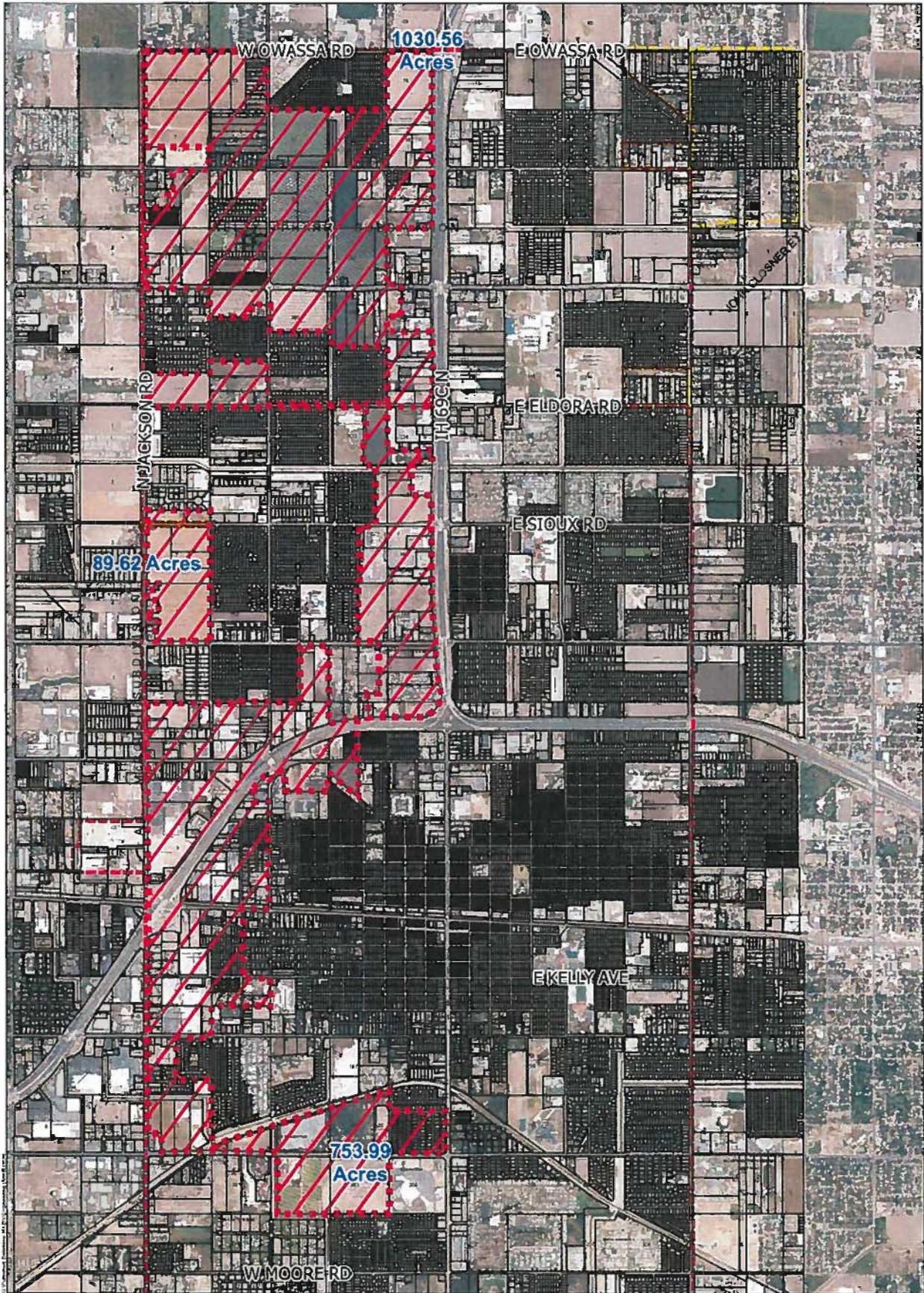
PASSED AND APPROVED ON THE THIRD READING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the \_\_\_ day of \_\_\_\_\_, 2015.

CITY OF PHARR

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

ATTEST:

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



**Legend**

- Pharr City Limits
- Pharr ETJ
- TIRZ Area: 1,874.17 Ac

All information displayed on this map is subject to verification by the authority to the city engineer. It is not intended for use in any legal proceeding. It is provided for general information only.

City of Pharr, Texas  
Engineering Department  
956.402.4221

Scale: 1 Inch = 2,000 feet



**ORDINANCE NO: O-2015-\_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE O-2008-30; APPOINTING A CRIMINAL PROSECUTOR FOR THE CITY OF PHARR MUNICIPAL COURT; PROVIDING FOR QUALIFICATIONS; DUTIES, FEES, COSTS, TENURE; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE**

**WHEREAS**, pursuant to Ordinance, the Pharr Board of Commissioners may separately appoint a prosecutor to handle criminal cases in the Municipal Court.

**WHEREAS**, to be in compliance with Ordinance O-2008-29.

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

**SECTION 1: Appointment:**

The following person is hereby appointed and/or reappointed as the criminal prosecutor:

\_\_\_\_\_

**SECTION 2: Qualifications:** The criminal prosecutor shall be licensed to practice law in the State of Texas, be a member in good standing, and practice in state courts.

**SECTION 3: Duties:**

The criminal prosecutor shall:

- (a) represent the City and prosecute any and all criminal cases filed in the municipal court of the City of Pharr.

**SECTION 4: Compensation.** The City of Pharr shall pay said criminal prosecutor a reasonable fee in the amount of \$\_\_\_\_\_ per year as well as any and all actual costs and expenses while in the course of providing such professional services and shall report accountability for all services to the City Manager.

**SECTION 5: Repealing Clause.**

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

**SECTION 6: Severability Clause.**

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

**SECTION 7: Publication; Effective Date.**

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 a majority of all members of the City Commission.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 16<sup>th</sup> day of June, 2015, A. D.

CITY OF PHARR

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

ATTEST:

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

**ORDINANCE NO: 0-2008-30**

**AN ORDINANCE AMENDING ORDINANCE 2008-05 SECTION 7; APPOINTING A CRIMINAL PROSECUTOR FOR THE CITY OF PHARR MUNICIPAL COURT; PROVIDING FOR QUALIFICATIONS; DUTIES, FEES, COSTS, TENURE; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE**

**WHEREAS**, pursuant to Ordinance, the Pharr Board of Commissioners may separately appoint a prosecutor to handle criminal cases in the Municipal Court.

**WHEREAS**, to be in compliance with Ordinance O-2008-29.

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

**SECTION 1: Appointment:**

The following person is hereby appointed and/or reappointed as the criminal prosecutor:

\_\_\_\_\_ Ricardo Perez \_\_\_\_\_

**SECTION 2: Qualifications:** The criminal prosecutor shall be licensed to practice law in the State of Texas, be a member in good standing, and practice in state courts.

**SECTION 3: Duties:**

The criminal prosecutor shall:

- (a) represent the City and prosecute any and all criminal cases filed in the municipal court of the City of Pharr.

**SECTION 4: Compensation.** The City of Pharr shall pay said criminal prosecutor a reasonable fee in the amount of \$40,000 per year as well as any and all actual costs and expenses while in the course of providing such professional services and shall report accountability for all services to the City Manager.

**SECTION 5: Repealing Clause.**

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

**SECTION 6: Severability Clause.**

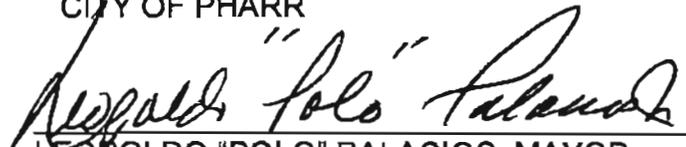
The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

**SECTION 7: Publication; Effective Date.**

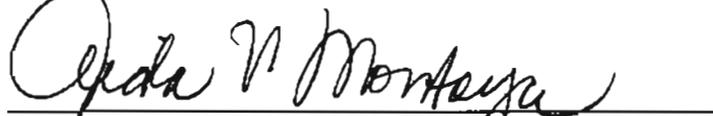
The importance of the subject matter of this Ordinance creates an emergency and an imperative public necessity requiring the suspension of the provision of the City Charter of the City of Pharr, Texas, that no Ordinance shall be Passed until it has been read on three (3) separate days and such provision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

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 1<sup>st</sup> day of July, 2008, A. D.

CITY OF PHARR

  
LEOPOLDO "POLO" PALACIOS, MAYOR

ATTEST:

  
AIDA V. MONTOYA, CITY CLERK

STATE OF TEXAS                    {}  
COUNTY OF HIDALGO            {}  
CITY OF PHARR                    {}

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

**WHEREAS**, Article III, Section 1 of the Charter of the City of Pharr authorizes the Board of Commissioners to fix the time for the two (2) regular meeting per month of the Board of Commissioners of the City of Pharr; and

**WHEREAS**, the City Commission has by motion made and seconded unanimously agreed to designate the time of 5:00 p.m. on every first and third (1<sup>st</sup> & 3<sup>rd</sup>) Tuesday of every month the regular City Commission Meeting; and

**WHEREAS**, the City Commission regular meeting of Tuesday, July 7, 2015 will be re-scheduled to \_\_\_\_\_.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT** the meeting of the Board of Commissioners of Tuesday, July 7, 2015 is scheduled for \_\_\_\_\_.

**PASSED, APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR** this the 16<sup>th</sup> day of June, 2015.

CITY OF PHARR

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

ATTEST:

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



**AGENDA ITEM REQUEST**

MEETING DATE: 6/16/15

INITIATED BY: Juan Guerra DEPARTMENT: City Manager

AGENDA ITEM: Approval to update facsimile signatures

PARTY MAKING THE REQUEST: Juan G. Guerra Interim City Manager

NATURE OF THE REQUEST: Resolution

**BUDGET:**

EXPENDITURE REQUIRED:

CURRENT BUDGET:

ADDITIONAL FUNDING:

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER:  \_\_\_\_\_ DATE: 6/17/15

**STAFF RECOMMENDATION:**

**Approval of to designate Mr. Juan Guerra, Interim City Manager and Karla Moya, Assistant Finance Director as authorized and valid facsimile signatures for City of Pharr/PAL financial instruments.**



**AGENDA ITEM REQUEST**

MEETING DATE: 6/16/15

INITIATED BY: Juan Guerra DEPARTMENT: City Manager

AGENDA ITEM: Approval to designate a replacement Public Funds Investment Officer

PARTY MAKING THE REQUEST: Juan G. Guerra Interim City Manager

NATURE OF THE REQUEST: Resolution

**BUDGET:**

EXPENDITURE REQUIRED:

CURRENT BUDGET:

ADDITIONAL FUNDING:

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER:  \_\_\_\_\_ DATE: 6/7/15

**STAFF RECOMMENDATION:**

**Approval to designate Karla Moya, Assistant Finance Director as The City of Pharr Public Funds Investment Officer in replacement of previous City Manger, Fred Sandoval in addition to current Investment Officer, Mr. Juan Guerra, Interim City Manager**

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF PHARR

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§  
§

RESOLUTION  
NO. R-2014- 71

**WHEREAS**, the International Bridge is of great importance to the trade and commerce of the City of Pharr, and the Board of City Commissioners desires to foster and encourage the promotion of the bridge project; and

**WHEREAS**, there is therefore, created a Toll Bridge Board consisting of five (5) resident qualified voters of the City of Pharr and shall include as ex-officio members the Mayor, Mayor Pro-Tem and the City Manager; and

**WHEREAS**, due to the expired terms of Artemio Palacios (position #1), Ricardo Martinez (position #2), Edgar Delgadillo (position #3), Romeo Cuellar (position #4), and Adalberto Campero (position #5) the City Commission needs to appoint/re-appoint five (5) members to the Toll Bridge Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:** The following members are hereby appointed to the Toll Bridge Board:

<u>NAME</u>	<u>POSITION # 1</u>
1. Artemio Palacios	LENGTH OF TERM 8/01/16
2. Ricardo Martinez	<u>POSITION # 2</u> LENGTH OF TERM 8/01/16
3. Edgar Delgadillo	<u>POSITION # 3</u> LENGTH OF TERM 8/01/16
4. Romeo Cuellar	<u>POSITION # 4</u> LENGTH OF TERM 8/01/16
5. Adalberto Campero	<u>POSITION # 5</u> LENGTH OF TERM 8/01/16

**PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS**, on this the 3<sup>rd</sup> day of November, 2014.

CITY OF PHARR

  
\_\_\_\_\_  
ADAN FARIAS  
MAYOR PRO-TEM

ATTEST:

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



**AGENDA ITEM REQUEST**

MEETING DATE: 06-16-2015

INITIATED BY: Hilda Pedraza DEPARTMENT: ADMINISTRATION

AGENDA ITEM: Consideration and action, if any, on Resolution appointing Assistant City Clerk (unexpired term).

PARTY MAKING THE REQUEST: Juan G. Guerra

NATURE OF THE REQUEST: A vacancy has occurred as a result of the retirement of Assistant City Clerk Sonia Padron.

**ROUTING:**

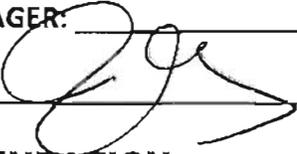
LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER:  \_\_\_\_\_ DATE: 6/12/15

**STAFF RECOMMENDATION:**

**To be discussed in closed session.**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF TEXAS 0

COUNTY OF HIDALGO 0

CITY OF PHARR 0

RESOLUTION  
NO: R-2015-\_\_

**WHEREAS**, the City Clerk is the chief clerical officer of the City of Pharr, Texas, and performs such duties as may be assigned by 1) the City Manager of the City of Pharr, Texas, 2) as required by the Charter of the City of Pharr, Texas, 3) as stated in Vernon's Annotated Civil Statutes, and 4) as generally delegated to City Clerk in Home Rule Municipalities (but nevertheless in accordance with the Charter and Ordinances of the City of Pharr, Texas); and

**WHEREAS**, Article III, Section 3 of the City Charter requires that the Board of Commissioners appoint a City Clerk and Assistant City Clerk who shall hold office for a term of two (2) years; and

**WHEREAS**, the City Clerk and Assistant City Clerk for the City of Pharr, Texas, shall receive a salary for their services as may be from time to time set forth in the Budget of the City of Pharr, Texas; and

**WHEREAS**, a vacancy has occurred as a result of the retirement of Assistant City Clerk Sonia Padron and an appointment needs to be made at this time.

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

\_\_\_\_\_ shall be and is hereby appointed Assistant City Clerk for the City of Pharr, Texas, for the unexpired term of two (2) years or until their successors are appointed and qualified, unless terminated sooner in accordance with the law.

**APPROVED AND PASSED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS** on this the 16<sup>th</sup> day of June, 2015.

CITY OF PHARR

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

ATTEST:

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



**AGENDA ITEM REQUEST**

MEETING DATE: 6-11-15

INITIATED BY: Edward Wylie DEPARTMENT: Development Services

AGENDA ITEM: Resolution to create and appoint the "Your Vision! Pharr 2025 – Pharr Into the Future" Stakeholders group

PARTY MAKING THE REQUEST: Development Services

NATURE OF THE REQUEST: Resolution Adoption

**BUDGET:**

EXPENDITURE REQUIRED: \$ 0

CURRENT BUDGET: \$ 0

ADDITIONAL FUNDING: \$ 0

**ROUTING:**

LEGAL: \_\_\_\_\_

DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_

DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: *E. Wylie*

DATE: 6-11-15

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:**

Staff is recommending approval of the Resolution to Create and Appoint the Stakeholder Group

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

STATE OF TEXAS

§  
§  
§

CITY OF PHARR

RESOLUTION  
NO: \_\_\_\_\_

**WHEREAS**, Appendix A, Zoning Ordinance No. 82-13, of the City of Pharr Code of Ordinances states that a comprehensive master plan shall be enacted to promote the safety, health and general welfare of the community; and

**WHEREAS**, the previous Land Use and Throughfare Plan prepared in 2000 is out of date due to changing conditions and does not address other elements of long-range planning in details such as land use, transportation, economic development, housing and the extra-territorial jurisdiction; and

**WHEREAS**, on January 22, 2015. The City entered into an Inter-local Agreement with Texas A&M university for general oversight and preparation of an update to the Pharr Into the Future Comprehensive Master Plan; and

**WHEREAS**, the City of Pharr City Commission hereby creates a Stakeholder Group, to serve without compensation and at the pleasure of the City Commission; and

**WHEREAS**, City of Pharr City Commission seeks to appoint the members of the Stakeholder Group, which is to be a temporary advisory board to the Planning Commission.

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

The City of Pharr City Commission hereby officially creates and appoints a 15 member Stakeholder Group, and designates the following persons as members of such Committee.

The following residents of the City of Pharr are hereby appointed as members of the Pharr into the Future Master Plans Steering Committee.

**NAME:**

**LENGTH OF TERM**

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15

**PASSED, APPROVED AND MADE EFFECTIVE BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

CITY OF PHARR

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

ATTEST

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



# Development Services

Your Vision! Pharr 2025 - Comprehensive Plan Update



▶ The City of Pharr is undertaking the Updated Comprehensive Planning process, exploring many economic, social and cultural aspects of the City's future. This planning process will:

- \* Provide a strategic direction for the city's future;
- \* Identify assets, opportunities, and needs;
- \* Identify issues that must be addressed in order to reach a common vision;
- \* Bring together all the city-based sector plans to provide a unified City Plan;
- \* Culminate vital surveys and public feedback into this joint collaborative effort to develop the **"Your Vision! Pharr 2025 - Pharr into the Future"** Comprehensive Plan.

Staff from the Texas A&M University Engineering Extension Service (TEEX) have been meeting with all departments and compiling data and information to update the plan.

The next major step is to hold a series of public meetings in different areas of the City and appoint a Stakeholder Group to conduct SWOT Analysis' (Strengths, Weakness, Opportunities and Threats) on the inputs deemed most valuable by the citizens of Pharr.

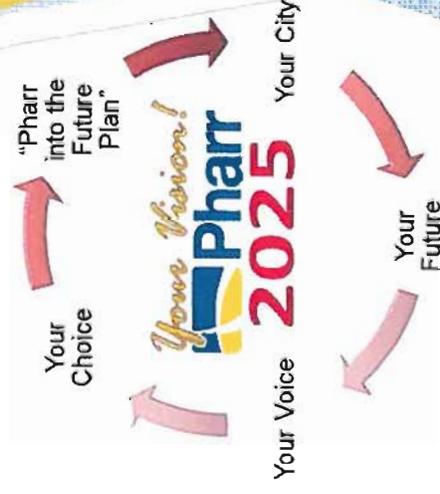
**Staff is recommending the public meetings be concentrated on the following topics:**

### **IMAGE**

- Quality of Life
- Image of the City of Pharr as a place to live and do business
- School image and relation with City
- Image control and public relations techniques
- Business incentives
- Economic stability
- Recycling
- Public health and medical facilities

### **LAND USE**

- New Zoning Districts (to include, overlay districts, entertainment districts and downtown district)
- Incorporate Parks Master Plan
- Re-categorize zoning districts
- Target housing and neighborhood revitalization areas
- Community facilities and services (libraries, police sub-stations)



Staff is recommending the public meetings be concentrated on the following topics:

## ECONOMIC DEVELOPMENT

- E-Government
- Tourism/Eco-tourism/Sports Tourism
- Promotion of International Bridge
- Tax Increment Financing Zones (TIF)
- Bond Rating
- Certificates of Obligation
- General Obligation Bonds
- Revenue Bonds
- Property Tax Rates
- Sales Tax
- Hotel/Motel Tax
- Fees
- Other funding sources

## TRANSPORTATION

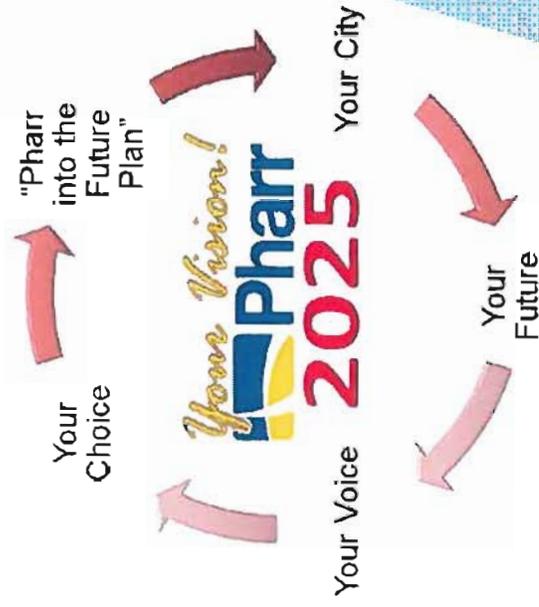
- Bus stations (inter-city/intra-city)
- Street ROW
- Thoroughfare Plan
- State and Federal Public Aid Systems
- Metropolitan Planning Organization
- Regional Mobility Authority



Staff is recommending the public meetings be concentrated on the following topics:

**ANNEXATION / EXTRA-TERRITORIAL JURISDICTION**

- Master Planned Community
- Land Use Mix
- Financing Options/TIRZ/EDC
- Facility Planning and Costs (water, wastewater, roadways, etc.)



**Staff is also recommending Private and/or Corporate citizens from the following disciplines be appointed to the 15 member Stakeholders Group and report back to the City Commission with results and recommendations:**

- Nonprofit/charitable/community organization
- Small business owner
- Large business owner
- City government
- County government
- Medical Field
- Education
- Youth
- Older adults
- Faith based
- New resident
- Long term resident
- Public safety
- Housing
- Transportation

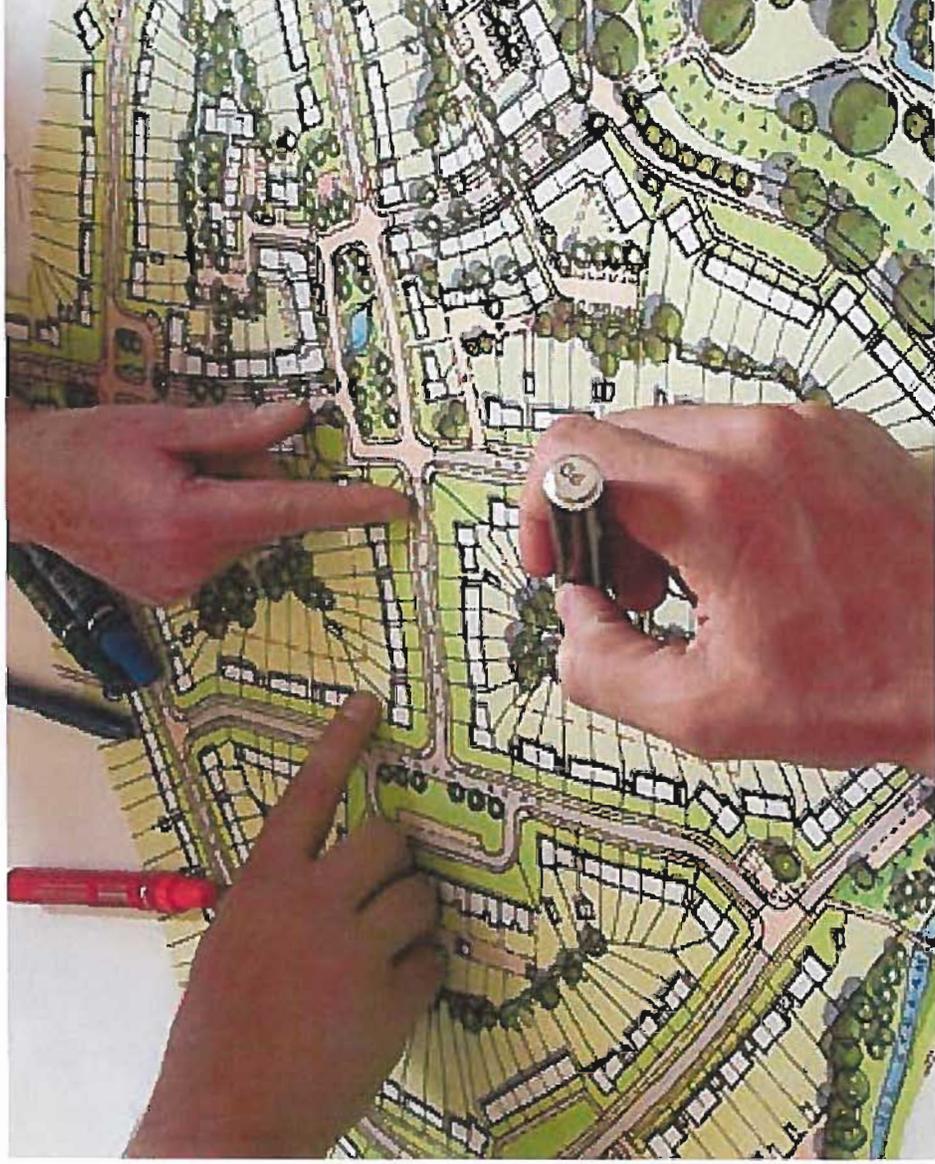


THE FOLLOWING  
SLIDES ARE FOR  
INFORMTIONAL  
PURPOSES OF THE  
CITY COMMISSION AND  
ARE NOT PART OF THE  
FORMAL  
PRESENTATION.

# The City of Pharr Comprehensive Plan Update



*Shaping  
the  
Future  
of Pharr*



*Keeping  
our  
Priorities  
in Line*

## **What is a Comprehensive Plan and why do we need it?**

The Comprehensive Plan will illustrate and provide an overall strategy for how the City of Pharr intends to shape itself over time. It is a framework that provides over-arching policy direction and serves as the “Umbrella” document for all the individual Plans. It will serve as a guide to making decisions regarding land use, development, zoning and capital improvements.

Some current policies from the 2000 Plan will remain in the new plan because they reflect a continuing and long-term strategic direction that is still important to the City of Pharr.

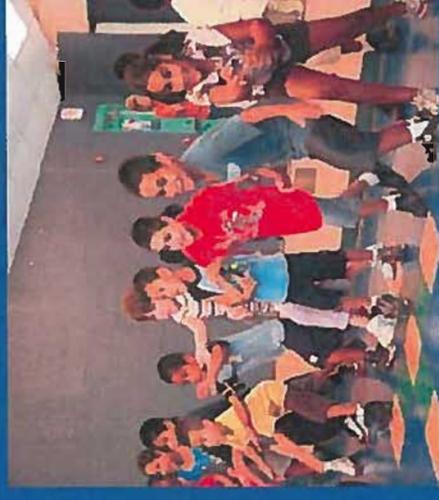
Other goals and policies will be added to address issues that were not as critical on the late 1990’s but that are important to shape the City of Pharr of the 21<sup>st</sup> Century. For example, recycling and the use of renewable energy sources was not addressed in the 2000 Comprehensive Plan but is a very important and viable concern today.



## What will be included in the updated Comprehensive Master Plan?

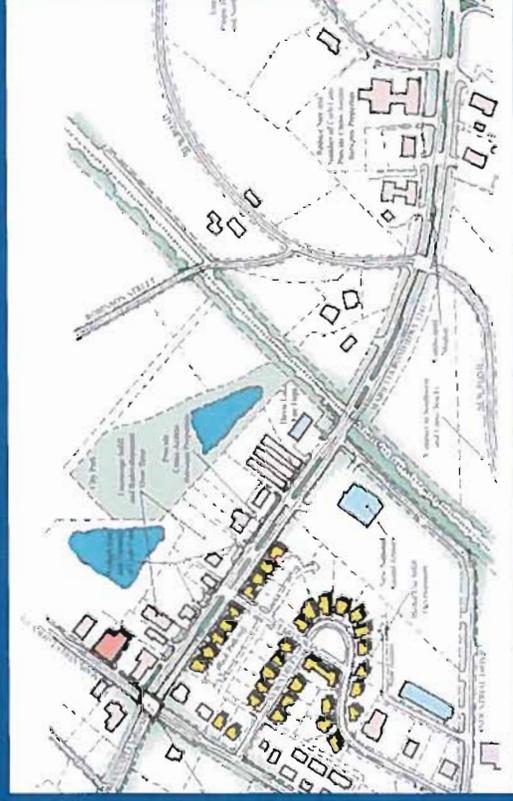
The updated Comprehensive Master Plan will be broken up into **five (5)** major components, these components are what is required for the update, but are by no means limited to or all inclusive:

- 1. IMAGE**
- 2. LAND USE**
- 3. ECONOMIC DEVELOPMENT**
- 4. TRANSPORTATION**
- 5. ANNEXATION / EXTRA-TERRITORIAL JURISDICTION**



## **Current Plans and Documents to be Included and/or Updated**

- City of Pharr – Parks Master Plan
- City of Pharr - Preservation Master Plan
- City of Pharr – Water System Master Plan
- City of Pharr – Wastewater System Master Plan
- Utility and Infrastructure GIS Mapping Data
- LRDVDC Regional Strategic Plan
- City of Pharr - Potable Water Master Plan
- Lift Stations Evaluations 1997
- Hidalgo County Thoroughfare Plan
- Rio Grande Valley Regional Mobility Plan
- US 281/Pharr International Bridge Corridor Study
- US Census Data



The geographical scope of the update will include:

- Current corporate boundaries of the City of Pharr;
- Extra-territorial jurisdictions.

Staff anticipates this new plan will have an effective **shelf life of 10-15 years**. The update process must include and consult with the following:

- A comprehensive citizen and community participation program;
- Extensive consultation with interested agencies, business' and organizations;
- City staff, appointed officials and elected officials.



**Vision:** Provide a sustainable mix of land uses that will maintain the quality of life elements that will enhance the livability of the City of Pharr and promote economic development and redevelopment at appropriate locations.

**GOAL 1.0-** Promote the City of Pharr as a community in which to live, work and play.

**GOAL 2.0-** Protect existing residential uses from the impacts of new suburban developments.

**GOAL 3.0-** Manage growth to achieve an efficient and orderly community.

**GOAL 4.0-** Provide a diversity of quality housing types for all ages and income levels.

**GOAL 5.0-** Promote commercial, retail, and employment land uses that are compatible with adjacent land uses and meet economic goals.

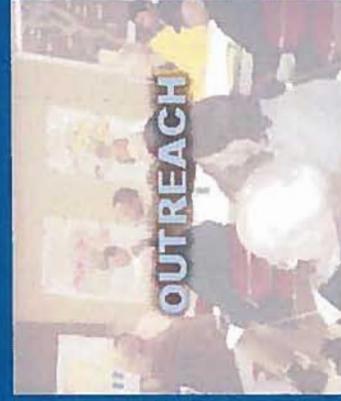
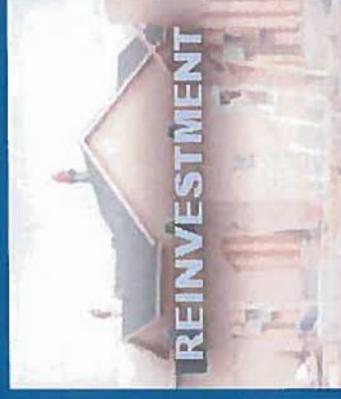
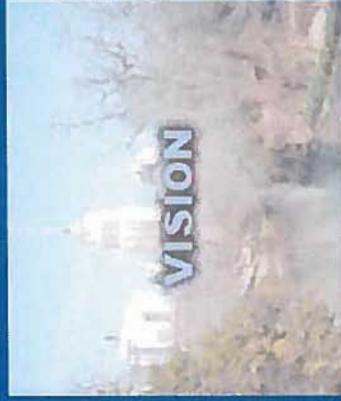
**GOAL 6.0-** Direct development into identified growths areas.

**GOAL 7.0-** Reduce automobile dependency in growth areas by efficient organization of land uses and other methods.

**GOAL 8.0-** Promote cost efficient and logical expansion of infrastructure .



# HOW DO WE REACH OUR ULTIMATE GOAL?





**AGENDA ITEM REQUEST**

MEETING DATE: 6/16/15

INITIATED BY: Juan Guerra DEPARTMENT: City Manager

AGENDA ITEM: Approval to update approved signature cards for City of Pharr Bank Accounts

PARTY MAKING THE REQUEST: Juan G. Guerra Interim City Manager

NATURE OF THE REQUEST: Resolution

**BUDGET:**

EXPENDITURE REQUIRED:

CURRENT BUDGET:

ADDITIONAL FUNDING:

**ROUTING:**

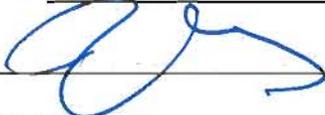
LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER:  DATE: 6/10/15

**STAFF RECOMMENDATION:**

**Remove Federico Rene Sandoval from all accounts held with Lone Star National Bank and City of Pharr Workman's Compensation Account.**

STATE OF TEXAS §

HIDALGO COUNTY §

RESOLUTION NO. R-2015-

CITY OF PHARR §

**WHEREAS**, in regards to the signers for City of Pharr's checking accounts Federico Rene Sandoval will be removed from all accounts held with Lone Star National Bank. For accounts listed on Exhibit "A" the signers will be as follows:

<b>Juan G. Guerra</b>	<b>Interim City Manager</b>
<b>Hilda O Pedraza</b>	<b>City Clerk/Secretary</b>
<b>Karla Moya</b>	<b>Assistant Finance Director</b>

**WHEREAS**, in regards to account #2563592 titled "City of Pharr Workman's Compensation Claim" account, the signers should be as follows:

<b>Juan G. Guerra</b>	<b>Interim City Manager</b>
<b>Hilda O. Pedraza</b>	<b>City Clerk/Secretary</b>
<b>Karla Moya</b>	<b>Assistant Finance Director</b>
<b>Mathew Thompson</b>	<b>Authorized Signer</b>

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

SECTION 1: **Federico Rene Sandoval**, is hereby removed as signature authority and is hereby removed to authorize to sign checks on behalf of the City of Pharr.

SECTION 2: This Resolution shall be in full force and effect from and after its passage by a majority vote of the City Commission.

**PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS** this 16<sup>th</sup> day of June, 2015.

CITY OF PHARR

ATTEST:

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

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



**AGENDA ITEM REQUEST**

MEETING DATE: 6/16/15

INITIATED BY: Edward Wylie DEPARTMENT: Development Services

AGENDA ITEM: To request permission to acquire property for City use (South Pharr Library).  
\_\_\_\_\_  
\_\_\_\_\_

PARTY MAKING THE REQUEST: Development Services Staff

NATURE OF THE REQUEST: Property Acquisition

**BUDGET:**

EXPENDITURE REQUIRED: \$250,000 (estimated; no negotiations yet)

CURRENT BUDGET: \$0

ADDITIONAL FUNDING: \$250,000

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD:  DATE: 6-11-15

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:** Staff is recommends approval to acquire property for City use.  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION NO. R-2015-

**A RESOLUTION OF THE CITY OF PHARR, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE REAL PROPERTY FOR A PUBLIC PURPOSE; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF PROPERTY; DETERMINING THE ESTATE TO BE ACQUIRED; ESTABLISHING FAIR MARKET VALUE FOR THE PROPERTY TO BE ACQUIRED, AND DIRECTING THE CITY MANAGER OR DESIGNEE TO COMMUNICATE OFFERS TO OWNERS FOR PURCHASE OF PROPERTY, APPROPRIATING FUNDS, AND AUTHORIZING CONDEMNATION PROCEEDINGS BY CITY ATTORNEY; RATIFICATION OF PRIOR ACTS**

**WHEREAS**, the City of Pharr, proposes to make certain improvements to roadways and/or city parks and adjacent land including but not limited to rights of way, easements and property in and about the City of Pharr in Hidalgo County, Texas;

**WHEREAS**, the City of Pharr, Texas has determined that certain property is necessary for the furtherance of these improvements and associated projects that are proposed to be made by the City of Pharr, Texas and that such improvements will be beneficial public improvements to the residents and inhabitants of the City Pharr, Texas of Pharr, Texas; and

**WHEREAS**, the City of Pharr has determined it is necessary to establish procedures for determining the establishment and approval of just compensation for the parcel to be acquired:

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

**SECTION 1:** That the City of Pharr, Texas hereby officially determines that there is a public necessity for acquiring the following real property for the expansion and construction of roadway and/or city park improvements and adjacent land including but not limited to rights of way, easements and property, and that the needs of its residents and inhabitants will be served by acquiring the following real property:

***Kelly-Pharr Tract S660'-E330' LT 327 AKA LT 4, 5.00 Ac Gr, 4.85 acres net, Pharr, Hidalgo County, Texas, and  
Kelly-Pharr Tract W 5 AC-S 10-E 20 Ac, Lt 327, Lt 3, Pharr, Hidalgo County Texas***

**SECTION 2:** That the City of Pharr, Texas hereby officially determines based on any opinions and recommendations of professional real estate appraisers, or that may be pending appraisal, that the fair market value of all estates and interest in the specifically described property are fair.

**SECTION 3:** That the City Manager, or its designee, be hereby authorized and directed to communicate a written offer to all record owners of the property for voluntary purchase of said property in an amount not to exceed the amount determined and established to be just compensation; therefore, and to further negotiate with said owner(s) on behalf of the City of Pharr for the voluntary purchase of the property for an amount not in excess of the amount determined and established to be just compensation.

**SECTION 4:** That the Mayor, and in his absence, the City Manager or its designee, is and shall hereby be authorized to execute all documents necessary to acquire the property on behalf of the City of Pharr, Texas.

**SECTION 5:** That should the City of Pharr, Texas and the owner(s) of the property herein described and determined to be acquired are unable to agree upon the value of the land, or should negotiations become futile, that the City Attorney hereby be authorized to initiate condemnation proceedings on behalf of the City of Pharr, Texas and do all legal things necessary, in accordance with state law, to acquire the property.

**SECTION 6:** That all lawful acts which have heretofore been performed by agents and representatives of the City of Pharr, such as, but not limited to, offers of purchase, negotiations with owners, and notices given to owners, shall hereby be ratified.

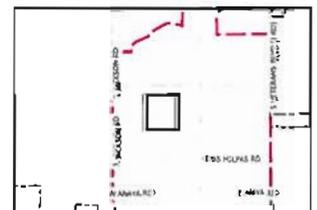
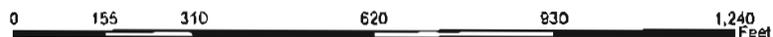
PASSED AND ADOPTED This \_\_\_\_th day of \_\_\_\_\_, 20\_\_

CITY OF PHARR

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

ATTEST

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



**Restricted Appraisal Report**

---

**Property Address:**

800 West Dicker Road  
Pharr, Texas

**Owner:**

Jose Guadalupe & Martha Corona

**Prepared For**

Mr. Ed Wylie  
CITY OF PHARR  
118 S. Cage Blvd.  
Pharr, Texas 78577

**Date of Report**

June 5, 2015

**Aguirre & Patterson, Inc.**

Real Estate Appraisal & Consulting Services

# Aguirre & Patterson, Inc.

REAL ESTATE APPRAISERS  
JOE W. PATTERSON, MAI, SRA

BETO R. AGUIRRE, Associate  
CONNIE C. FIELDER, Associate  
JOE E. CHEANEY, Associate  
BILLY G. DOYLE, Associate  
KIM E. RANSON, Associate  
TISH KEATING, Associate  
JAIME J. AGUIRRE, Associate

CHRIS THOMPSON, Associate  
ELIZABETH RUBIO, Associate  
IRENE B. THOMPSON, Associate  
BRIAN K. PAYNE, Associate  
SIDNEY MEADOWS, Associate

June 5, 2015

Mr. Ed Wylie  
CITY OF PHARR  
118 S. Cage Boulevard  
Pharr, Texas 78577

Re: A Restricted Appraisal Report of a 4.2 net acre tract of land located at 800 West Dicker Road in Pharr Texas, 78577; Jose Guadalupe and Martha Corona.

Dear Mr. Wylie:

This is a restricted appraisal report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2 (b) of the Uniform Standards of Professional Appraisal Practice for a Restricted Appraisal Report. As such, it represents no discussions of the data, reasoning, and analyses that are used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisers' file. The depth of discussion contained in this report is specific to the needs of the client and is intended for client use only. The rationale for how the appraisers arrived at the opinions and conclusions set forth in this report may not be understood properly without additional information in the appraisers' workfile. The appraisers are not responsible for the unauthorized use of this report.

**PURPOSE OF THE APPRAISAL:** The purpose of the appraisal is to provide the appraisers' best opinion of the market value "as is" of the subject real estate as of the date of this report and subject to certain Assumptions and Limiting Conditions contained herein.

**INTENDED USE OF THE REPORT:** The intended use of this appraisal is for purchase consideration.

**INTENDED USER OF REPORT:** The intended user of this appraisal is the City of Pharr only.

**LEGAL DESCRIPTION:**

The South 660' of the East 330' out of Lot 327, aka Lot 4, KELLY-PHARR SUBDIVISION, City of Pharr, Hidalgo County, Texas. (Metes and Bounds Included herein.)

**DEFINITION OF MARKET VALUE:** The most probable price in terms of money which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from the seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and,
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Sources: The Office of the Comptroller of Currency 12 C.F.R., Part 34, Subpart C-1 Appraisals 34-42 Definition (g); and, The Code of Federal Regulations, Title 12, Chapter III, Subchapter B, Sect. 323.2(g).

INTEREST VALUED: Fee Simple.

EFFECTIVE DATE OF VALUE: June 5, 2015

DATE OF REPORT: June 5, 2015

SCOPE OF THE APPRAISAL: In preparing this appraisal, the appraisers did the following: completed a drive-by inspection of the subject property; obtained information from the Hidalgo County Appraisal District regarding the subject property; analyze data such as demographics, supply and demand, property size, location and zoning; perform a highest and best use analysis of the subject property; applied the Sales Comparison Approach to arrive at an estimate of market value; and presented the value opinion in a Restricted Appraisal Report format.

REAL ESTATE APPRAISED: The subject property consists of a rectangular shaped tract of land with approximately 330 feet of frontage along Dicker Road and a gross depth of 660 feet. The subject tract contains approximately 5 acres gross. According to the subject Metes and Bounds, the South 20 feet is located within the Dicker Road ROW and the North 80 feet of the South 100 feet is located within the Hidalgo County Irrigation District #2 ROW, resulting in a net area of 4.2 acres. The site is generally level and is unimproved. According to FIRM Panel No. 480334 0500 B, revised January 2, 1981, the subject is located within flood zone "B" designated area. According to the City of Pharr, the subject is zoned for agricultural use. Utilities available include water, sewer, telephone and electricity. The subject is located within Census Tract 213.02.

FLOOD DESIGNATION AND DISCLAIMER: The appraisers are not experts in determining the flood zone designation for the subject. No responsibility is assumed on our part for accurately determining the subject's flood zone. If an official survey or flood designation certificate is not provided, the appraisers estimate flood designation based on available FEMA flood maps and/or recorded subdivision maps. Because some of the information may be inconclusive, the appraisers' opinion of value is predicated on the assumption that the flood zone indicated herein is correct.

HIGHEST AND BEST USE: The highest and best use of both land as though vacant and property as improved, a use must meet four criteria. The criteria are that the highest and best use must be (1) legally permissible, (2) physically possible, (3) financially feasible, and (4) maximally productive.

These criteria should usually be considered sequentially; it makes no difference that a use is financially feasible if it is physically impossible to construct an improvement or if such a use is not legally permitted. Only when there is a reasonable possibility that one of the prior unacceptable conditions can be changed is it appropriate to proceed with the analysis.

1) Legally Permissible: The subject is partially zoned for agricultural use by the City of Pharr. There are no known deed restrictions.

2) Physically Possible: The subject has sufficient area for agricultural use. However, the surrounding land use pattern is primarily for residential development, with some commercial and industrial use interspersed along the frontage. Commercial, industrial and/or residential use is considered physically possible.

3) Financially Feasible: All of the uses considered physically and legally permissible are also considered financially feasible. The amount of net income which can be produced should exceed the combined operating expenses, financial expenses, and capital amortization. The physically possible uses are expected to produce positive returns and are regarded as financially feasible.

4) Maximally Productive: Among the financially feasible uses, the use that provides the highest rate of return, or value, is the highest and best use. The physically possible uses are anticipated to produce the highest rate of return.

Highest and Best use "As Vacant" and "As Improved" – Based upon the preceding analysis, the appraisers estimate that the highest and best use of the subject property is a mixed commercial, industrial, and residential use.

With adequate advertising, exposure and aggressive marketing, the appraisers estimate the marketing period not to exceed eighteen to twenty-four months.

Based upon the appraisers' analysis of past events assuming a competitive and open market, the appraisers estimate a reasonable exposure period for this type of property at the market value estimated in this report would not have exceeded twenty-four months.

**SUMMARY OF ANALYSIS AND VALUATION:** The value estimated herein is subject to a detailed appraisal. The appraisers' best opinion of the market value "as is" of the subject property as of June 5, 2015, is estimated to be as follows:

**ONE HUNDRED AND FIFTY THOUSAND DOLLARS  
(\$150,000.00)**

Respectfully submitted,



Joe Patterson, MAI, SRA  
President, TX-1321595-G



Irene B. Thompson  
Associate, TX-1336175-G

## METES AND BOUNDS

### Description of Property:

The South 5 acres of the East 10 acres of Lot 327, KELLY PHARR SUBDIVISION, Hidalgo County, Texas, according to the map recorded in Volume 3, Page 134, Deed Records in the Office of the County Clerk of Hidalgo County, Texas, reference to which is here made for all purposes and said tract being more particularly described by metes and bounds as follows, to-wit:

COMMENCING at a nail set on the Southeast corner of said Lot 327, located the right-of-way of Dicker Road for the Southwest corner and POINT OF BEGINNING of this herein described tract;

THENCE, South 81 degrees, 35 minutes East, coincident with the South line of said Lot 327, a distance of 330.00 feet to a nail set for the Southwest corner of this herein described tract;

THENCE, North 08 degrees, 25 minutes East, along a line parallel to the East line of said Lot 327, a distance of 20.00 feet pass the North right-of-way line of said Dicker Road, at a distance of 660.00 feet in all to a ¼ inch diameter iron rod set for the Northwest corner of this herein described tract;

THENCE, South 81 degrees, 35 minutes East, along a line parallel to the South line of said Lot 327, a distance of 330.00 feet to a ½ inch diameter iron rod set on intersection with the East line of said Lot 327 for the Northeast corner of this herein described tract;

THENCE, South 08 degrees, 25 minutes West, coincident with the East line of said Lot 327, a distance of 640.00 feet pass a ¼ inch diameter iron rod set on intersection with the existing North right-of-way line of said road, at a distance of 660.00 feet in all to the POINT OF BEGINNING, which the South 20.0 feet (or 0.15 acres, more or less) are located within the right-of-way of said Dicker Road and the North 80.00 feet to the South 100.00 feet are located within a 80.00 feet (or 0.61 acres, more or less) Hidalgo County Irrigation District No. 2 right-of-way.

SUBJECT AERIAL VIEW



Note: lot lines are approximate and for illustration purposes only.

SUBJECT FLOOD MAP





## SUMMARY PAGE

**Available Financing:** Typical terms would be 15% to 50% down; 4% to 10% interest rate; amortized over a period of 7-15 years; balloon in 3-10 years.

**Environmental Hazard:** The appraisers did not notice any environmental hazards; however, the appraisers are not qualified to detect the existence of or cost to cure environmental contamination. The value estimated in this report is predicated on the assumption that no such condition exists.

**Statement of Competency:** The appraisers have a combined total of over 59 years experience in the real estate appraisal business which has included the appraisal of similar properties; therefore, have attained the necessary knowledge and experience to competently complete this assignment (See Qualifications).

**Income Property Provision:** Not applicable.

**Contingency Provision:** The appraisers certify that their compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. Furthermore, this appraisal assignment is not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

**Data Sources:** Sources used in investigating comparable sales include local multiple listing services, lenders, realtors, builders, developers, individuals and other appraisers.

**Personal Property:** This appraisal does not include furniture, fixtures, and equipment in the market value estimate. The final value estimate does not include intangible items such as trademarks or goodwill. The exclusion of these items is estimated to have no impact on the market value estimate.

**External Value:** The appraisers estimate that the subject has no significant natural, cultural, recreational or scientific value.

**Pertinent Information:** No environmental study is provided.

**Market/Trends:** Signs of recent sales activity and increased lending indicate that the local real estate market is steadily recovering from a stagnant economic climate. This trend of tempered recovery is expected to continue for the remainder of 2015.

**Provision for Disabilities Act:** The Americans with Disabilities Act (ADA) became effective January 26, 1992. The appraisers have not made a compliance survey and analysis of this property to determine whether or not it is in conformity with the various details requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this could have a negative effect upon the value of the property. Since the appraisers have no direct evidence relating to this issue, possible noncompliance within the requirements of ADA in estimated the value of the property has not been considered.

**Statement of Compliance:** This appraisal conforms to the generally accepted standards of the Uniform Standards of Professional Appraisal Practice (USPAP).

SUMMARY PAGE (continued)

Marketing & Exposure Time: The marketing time for the subject is estimated to be 18-24 months. A reasonable exposure period would have been 24 months.

History: According to the Hidalgo County Appraisal District, the current owners of record are Joe Guadalupe and Martha Corona, who have maintained ownership in excess of three years. The subject property was listed for sale from May 22, 2014, through May 30, 2015 for \$400,000.00 at which time the listing expired. The subject has been listed for sale since March 27, 2015 for \$350,000.00. No further information was discovered by the appraisers in the normal course of business.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- ✓ The statements of fact contained in this report are true and correct.
- ✓ The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- ✓ I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- ✓ I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- ✓ I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- ✓ My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- ✓ My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- ✓ My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- ✓ I have (or have not) made a personal inspection of the property that is the subject of this report.
- ✓ No one provided significant real property appraisal assistance to the persons signing this certification.
- ✓ The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- ✓ The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- ✓ As of the date of this report, Joe W. Patterson, MAI, SRA has completed the continuing education program of the Appraisal Institute.



Joe Patterson, MAI, SRA  
TX-1321595-G

   Did X Did Not Physically  
Inspect the Property



Irene B. Thompson  
TX-1336175-G

X Did    Did Not Physically  
Inspect the Property

## ASSUMPTIONS AND LIMITING CONDITIONS

1. This is a Restricted Appraisal Report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2 (b) of the Uniform Standards of Professional Appraisal Practice for a Restricted Use Appraisal Report. As such, it presents no discussions of the data, reasoning, and analyses that are used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisers' file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated. The appraisers are not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable.
8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority for any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.
12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.

### ASSUMPTIONS AND LIMITING CONDITIONS (continued)

13. The appraiser is not qualified to detect hazardous waste and/or toxic materials. A comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the results of routine observations made during the appraisal process.

14. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.

15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.

16. The distribution, if any, of the total valuation in this report between land and improvements applies only under that stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.

17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with property written qualifications and only in its entirety.

18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or the media without prior written consent and approval of the appraiser.

**Texas Appraiser Licensing and Certification Board**

P.O. Box 12188 Austin, Texas 78711-2188

**Certified General Real Estate Appraiser**

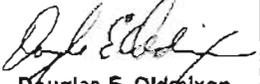
Number: **TX 1321595 G**

Issued: **10/25/2013**

Expires: **12/31/2015**

Appraiser: **JOSEPH WILLIAM PATTERSON III**

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified General Real Estate Appraiser.

  
Douglas E. Oldmixon  
Commissioner

QUALIFICATIONS OF THE APPRAISER  
JOSEPH W. PATTERSON, III

State Licensing and Certification

Licensed and certified by the State of Texas as a General Real Estate Appraiser: License Number TX-1321595-G (Date of Issue: October 25, 2013 and Date of Expiration: December 31, 2015)

Professional Designations

Member of Appraisal Institute with MAI and SRA Designations

Education

Bachelor of Business Administration from Baylor University, Waco, Texas

Graduate Study at Baylor University Law School, Waco, Texas

Continuing Education in Real Estate and Appraising at University of Houston, University of North Carolina, San Diego University, University of Colorado, University of Illinois, Mills College (Oakland), and University of Texas Pan American

Professional Affiliations

Member of the McAllen Board of Realtors

Member of the Texas Association of Realtors

Member of the National Association of Realtors

Professional Offices Held

President of Rotary Club of McAllen, Texas, Chapter #2076, 1996-1997

President of the Society of Real Estate Appraiser, Rio Grande Valley, Chapter #144 – 1983-1984

Board of Directors of the Society of Real Estate Appraiser, Waco, Texas, Chapter #145 – 1975-1977

Board of Directors of the Society of Real Estate Appraiser, Rio Grande Valley, Chapter #144 – 1976-1991

Board of Directors of the American Institute of Real Estate Appraisers, South Texas Chapter #29 – 1986-1991

Teaching Experience

Instructor for Real Estate Appraising and Real Estate Law at Hill Junior College, Hillsboro, Texas

Substitute Instructor for Real Estate Principle, Real Estate Law, Real Estate Finance, Real Estate Appraising and Business

QUALIFICATIONS OF THE APPRAISER (continued)  
JOSEPH W. PATTERSON III

Professional Experience

Joe Patterson began his appraisal experience in 1971 as an independent appraiser with Smith Real Estate Association in Waco, Texas for five years. He was also a staff appraiser for First Federal Savings and Loan Association in Waco, Texas for one year. He then associated himself with D.U. Buckner, a local MAI, for seven years as an independent fee appraiser. In 1986 he opened his own office, J.W. Patterson and Associates, and currently covers the Rio Grande Valley area from his McAllen office.

As an appraiser for the past 41 years, he has worked on the following types of properties: single family residences, duplexes, apartments, manufacturing properties, shopping centers, discount houses and supermarkets, hospitals, hotels and motels, funeral homes, restaurants, developments, churches, schools, medical clinics, warehouses, banks, farms, ranches, bowling alleys, convention centers, grain elevators, gins, condominium projects, food processing plants, civilian airport facilities, and "FIRREA" affordable housing program. Other assignments include partial taking, eminent domain, easements, and partial interests.

Joe has also served as the guest speaker and lecturer for numerous local service clubs, professional organizations and schools, including University of Texas Pan American.

Recently Completed Course Studies

USPAP Update 2012/2013, No. 101, offered by the Columbia Institute, Austin, Texas, January 18, 2013

Appraising in a Depressed Market, No. 125, offered by the Columbia Institute, Austin, Texas, January 16, 2013

Interagency Rules of Banks and Credit Unions, No. 011, offered by the Columbia Institute, Austin, Texas, January 15, 2013

Write It Right, No. 148, offered by the Columbia Institute, Austin, Texas, January 17, 2013

Online Appraisal Curriculum Overview – Residential, offered by the Appraisal Institute, January 14, 2013,

Online Business Practices and Ethics, offered by the Appraisal Institute, December 12, 2012

Report Writing-the UAD, No. 120, offered by the Columbia Institute, Harlingen, Texas, August 2, 2011

The Mortgage Loan System, No. 015, offered by the Columbia Institute, Harlingen, Texas, August 1, 2011

Practice of Appraisal Review – FHA Protocol, No. 145, offered by the Columbia Institute, Harlingen, Texas, February 2011

USPAP Update 2010-2011, No. 101, offered by the Columbia Institute, Harlingen, Texas, March 2011

USPAP Update No. 101, September 2009

Identifying Relevant Characteristics Course 019 – The Columbia Institute, Sept. 2009

FHA Today Course 114 – The Columbia Institute, March 2009

Fannie Mae Today Course 116 – The Columbia Institute, March 2009

Basic Appraisal Principles, The Appraisal Institute, North Texas Chapter, May 2007

Scope of Work and Appraiser Due Diligence, No. 36, The Columbia Institute, April 2007

USPAP Update No. 101, The Columbia Institute, April 2007

QUALIFICATIONS OF THE APPRAISER (continued)  
JOSEPH W. PATTERSON III

Fundamental of Appraisal Review No. 105, The Columbia Institute, April 2007  
FHA, the URAR & the 1025 No. 104, The Columbia Institute, April 2007  
Business Practices and Ethics, The Appraisal Institute, February 2007  
Uniform Standards of Professional Practice, USPAP Update, The Appraisal Institute, Houston Chapter, September 2005  
Litigation Skills for this Appraiser, The Appraisal Institute Houston Chapter, Sept. 2005  
Ethics & Special Purpose Properties, The Appraisal Institute, September 2005  
Appraising from Blueprints and Specifications, The Appraisal Institute Online Continuing Education Program, Chicago, Illinois, February, 2005  
Uniform Standards of Professional Practice, USPAP Update, The Appraisal Institute North Texas Chapter, June 2003  
Small Hotel/Hotel Valuation, the Appraisal Institute Online Continuing Education Program, Chicago, Illinois, November 2002  
Appraisal Procedures, The Appraisal Institute, Daniels College of Business, Denver, Colorado, August, 2002  
Techniques of Appraisal Review, The Columbia Institute, Course #108, October 2001  
Residential Appraisal Update, The Columbia Institute, course #117, October 2001  
Standards of Professional Practice, Part C, The Appraisal Institute, September 2001  
GIS and Appraising, The Appraisal Institute, Austin, Texas, August, 1999  
1999 FHA Appraisal Rules #119, The Columbia Institute, September 1999  
Standards of Professional Practice, Part C, The Appraisal Institute, September 1999  
Comprehensive Examination Prep, the Appraisal Institute, February 1998

**Texas Appraiser Licensing and Certification Board**

P.O. Box 12188 Austin, Texas 78711-2188

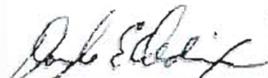
**Certified General Real Estate Appraiser**

Number: **TX 1336175 G**

Issued: **06/03/2014** Expires: **06/30/2016**

Appraiser: **IRENE BECERRA THOMPSON**

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified General Real Estate Appraiser.

  
Douglas E. Oldmixon  
Commissioner

QUALIFICATIONS OF THE APPRAISER  
IRENE B. THOMPSON

State Licensing and Certification

Licensed and certified by the State of Texas as a General Real Estate Appraiser: License Number TX-1336175-G (Date of Issue: June 3, 2014; Date of Expiration: June 30, 2016)

Education

Graduate, Weslaco High School, May, 1992

Three years education toward Bachelor of Arts in History and Philosophy, Brown University, September, 1992 through May, 1995

Continuing Education In Real Estate and Appraising at The Appraisal Institute, Lincoln Graduate Center, The Columbia Institute, Trinity University, Lon Morris College, and Geo Leonard School of Real Estate.

Professional Experience

Irene Thompson has been associated with Aguirre & Patterson, Inc. from September, 1998, to the present. As an independent appraiser, Mrs. Thompson has gained valuable experience appraising various types of properties throughout the Rio Grande Valley. The following is a list of the types of properties Mrs. Thompson has appraised: single-family residences, multi-family apartments, residential condominiums, residential lots, unimproved land tracts, subdivisions, right of ways, easements, dine-in and fast food restaurants, condominium shell facilities, single-tenant and multi-tenant retail centers, professional business centers, commercial buildings, convenience stores, professional offices, medical clinics, assisted living centers, rehabilitation hospitals, banquet halls, community centers, churches, public schools, charter schools, adult and child day care centers, office/warehouses, distribution warehouses, manufacturing warehouses, condominium warehouses, cold storage facilities, cement plants, farms, ranches, motels, hotels, mobile home and RV parks, unimproved commercial lots, self-service and automatic car washes, government facilities subject to GSA leases, golf courses, auto service/quick lube auto shops, and leasehold estates.

Recently Completed Course Studies

7-Hour USPAP Update, McKissock, June 2014

Appraisal of Self-Storage Facilities, McKissock, June 2014

Land and Site Valuation, McKissock, May 2014

Environmental Issues for Appraisers, McKissock, May, 2014

Mold, Pollution and The Appraiser, McKissock, May 2014

7-Hour USPAP Update, McKissock, May 2012

Ad Valorem Tax Consultation, McKissock, May 2012

Disclosures & Disclaimers, McKissock, May 2012

How to Analyze and Value Income Properties for Financing, McKissock, May 2012

Private Appraisal Assignments, McKissock, May 2012

Analyzing Operating Expenses, The Appraisal Institute, May 6, 2010

Advanced Internet Search Strategies, The Appraisal Institute, May 5, 2010

Uniform Standards of Professional Appraisal Practice, Update – The Appraisal Institute, February 22, 2010

FHA Today, No. 114, The Columbia Institute, March 2, 2009

Technology for Today's Appraiser, McKissock, May 30, 2008

QUALIFICATIONS OF THE APPRAISER  
IRENE B. THOMPSON (continued)

Survey of the Cost Approach, No. 106, The Columbia Institute, April 8, 2008  
FHA, the URAR & the 1025, No. 104, The Columbia Institute, April 7, 2008  
Uniform Standards of Professional Appraisal Practice, Update – The Appraisal Institute, May 24, 2007  
Uniform Standards of Professional Appraisal Practice (Course USPAP) – Online – Center for Career Education – March 20, 2006  
Fundamentals of Real Estate Appraisal – Correspondence – Lon Morris College – February 1, 2006  
Appraising Residential Properties – Correspondence - Lon Morris College - August 18, 2004  
Uniform Standards of Professional Appraisal Practice, Update (Course- USPAP 2004) – The Appraisal Institute, February 27, 2004  
Industry Update Manufactured Housing – Lincoln Graduate Center, February 24, 2003  
New Fannie Mae Appraisal Guide – The Columbia Institute, March 14, 2003  
Uniform Standards of Professional Appraisal Practice, Update (Course- USPAP 2002) – The Appraisal Institute, April 27, 2002  
Principles and Techniques of Appraisal Review (Course - 108) - The Columbia Institute, June 9, 2001  
Farm and Land Appraisal (Course - 637) - National Association of Master Appraisers, Lincoln Graduate Center, April 28, 2001  
Income Property Appraisal (Course – 231) – Correspondence – Lon Morris College, February 28, 2000  
Uniform Standards of Professional Appraisal Practice (Course – USPAP 99) Correspondence – Trinity University, September 1, 1999  
Principles of Real Estate (Course – 111) – Geo Leonard School of Real Estate, August 9, 1998  
Real Estate Appraisal (Course – 211) – Geo Leonard School of Real Estate, August 29, 1998  
Practice of Real Estate Appraisal (Course – 636) – Lincoln Graduate Center, February 2, 1999  
Real Estate Law (Course – 311) – Geo Leonard School of Real Estate, February 20, 1999

**Restricted Appraisal Report**

**Property Address:**

800 Block of Dicker Road  
Pharr, Texas

**Owner:**

Oscar Santos

**Prepared For**

Mr. Ed Wylie  
CITY OF PHARR  
118 S. Cage Blvd.  
Pharr, Texas 78577

**Date of Report**

June 5, 2015

**Aguirre & Patterson, Inc.**

Real Estate Appraisal & Consulting Services

# Aguirre & Patterson, Inc.

REAL ESTATE APPRAISERS  
JOE W. PATTERSON, MAI, SRA

BETO R. AGUIRRE, Associate  
CONNIE C. FIELDER, Associate  
JOE E. CHEANEY, Associate  
BILLY G. DOYLE, Associate  
KIM E. RANSON, Associate  
TISH KEATING, Associate  
JAIME J. AGUIRRE, Associate

CHRIS THOMPSON, Associate  
ELIZABETH RUBIO, Associate  
IRENE B. THOMPSON, Associate  
BRIAN K. PAYNE, Associate  
SIDNEY MEADOWS, Associate

June 5, 2015

Mr. Ed Wylie  
CITY OF PHARR  
118 S. Cage Boulevard  
Pharr, Texas 78577

Re: A Restricted Appraisal Report of a 4.2 net acre tract of land located in the 800 Block of West Dicker Road in Pharr Texas, 78577; Oscar Santos.

Dear Mr. Wylie:

This is a restricted appraisal report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2 (b) of the Uniform Standards of Professional Appraisal Practice for a Restricted Appraisal Report. As such, it represents no discussions of the data, reasoning, and analyses that are used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisers' file. The depth of discussion contained in this report is specific to the needs of the client and is intended for client use only. The rationale for how the appraisers arrived at the opinions and conclusions set forth in this report may not be understood properly without additional information in the appraisers' workfile. The appraisers are not responsible for the unauthorized use of this report.

**PURPOSE OF THE APPRAISAL:** The purpose of the appraisal is to provide the appraisers' best opinion of the market value "as is" of the subject real estate as of the date of this report and subject to certain Assumptions and Limiting Conditions contained herein.

**INTENDED USE OF THE REPORT:** The intended use of this appraisal is for purchase consideration.

**INTENDED USER OF REPORT:** The intended user of this appraisal is the City of Pharr only.

**LEGAL DESCRIPTION:**

The Wet 5 acres out of the South 10 acres of Lot 327, aka Lot 4, KELLY-PHARR SUBDIVISION, City of Pharr, Hidalgo County, Texas. (Subject to Survey)

**DEFINITION OF MARKET VALUE:** The most probable price in terms of money which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from the seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and,
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Sources: The Office of the Comptroller of Currency 12 C.F.R., Part 34, Subpart C-1 Appraisals 34-42 Definition (g); and, The Code of Federal Regulations, Title 12, Chapter III, Subchapter B, Sect. 323.2(g).

INTEREST VALUED: Fee Simple.

EFFECTIVE DATE OF VALUE: June 5, 2015

DATE OF REPORT: June 5, 2015

SCOPE OF THE APPRAISAL: In preparing this appraisal, the appraisers did the following: completed a drive-by inspection of the subject property; obtained information from the Hidalgo County Appraisal District regarding the subject property; analyze data such as demographics, supply and demand, property size, location and zoning; perform a highest and best use analysis of the subject property; applied the Sales Comparison Approach to arrive at an estimate of market value; and presented the value opinion in a Restricted Appraisal Report format.

REAL ESTATE APPRAISED: The subject property consists of a rectangular shaped tract of land with approximately 330 feet of frontage along the north side of Dicker Road, and a gross depth of 660 feet (subject to survey). The subject tract contains approximately 5 acres gross. The appraisers assume that the subject property is encumbered by the same ROW that affects the adjacent tract to the east: the South 20 feet which is located within the Dicker Road ROW and the North 80 feet of the South 100 feet which is located within the Hidalgo County Irrigation District #2 ROW. The resulting net area is assumed to be 4.2 acres (subject to survey). The site is generally level and is unimproved. According to FIRM Panel No. 480334 0500 B, revised January 2, 1981, the subject is located within flood zone "B" designated area. According to the City of Pharr, the subject is zoned for agricultural use. Utilities available include water, sewer, telephone and electricity. The subject is located within Census Tract 213.02.

FLOOD DESIGNATION AND DISCLAIMER: The appraisers are not experts in determining the flood zone designation for the subject. No responsibility is assumed on our part for accurately determining the subject's flood zone. If an official survey or flood designation certificate is not provided, the appraisers estimate flood designation based on available FEMA flood maps and/or recorded subdivision maps. Because some of the information may be inconclusive, the appraisers' opinion of value is predicated on the assumption that the flood zone indicated herein is correct.

HIGHEST AND BEST USE: The highest and best use of both land as though vacant and property as improved, a use must meet four criteria. The criteria are that the highest and best use must be (1) legally permissible, (2) physically possible, (3) financially feasible, and (4) maximally productive. These criteria should usually be considered sequentially; it makes no difference that a use is financially feasible if it is physically impossible to construct an improvement or if such a use is not legally permitted. Only when there is a reasonable possibility that one of the prior unacceptable conditions can be changed is it appropriate to proceed with the analysis.

1) Legally Permissible: The subject is partially zoned for agricultural use by the City of Pharr. There are no known deed restrictions.

2) Physically Possible: The subject has sufficient area for agricultural use. However, the surrounding land use pattern is primarily for residential development, with some commercial and industrial use interspersed along the frontage. Commercial, industrial and/or residential use is considered physically possible.

3) Financially Feasible: All of the uses considered physically and legally permissible are also considered financially feasible. The amount of net income which can be produced should exceed the combined operating expenses, financial expenses, and capital amortization. The physically possible uses are expected to produce positive returns and are regarded as financially feasible.

4) Maximally Productive: Among the financially feasible uses, the use that provides the highest rate of return, or value, is the highest and best use. The physically possible uses are anticipated to produce the highest rate of return.

Highest and Best use "As Vacant" and "As Improved" – Based upon the preceding analysis, the appraisers estimate that the highest and best use of the subject property is a mixed commercial, industrial, and residential use.

With adequate advertising, exposure and aggressive marketing, the appraisers estimate the marketing period not to exceed eighteen to twenty-four months.

Based upon the appraisers' analysis of past events assuming a competitive and open market, the appraisers estimate a reasonable exposure period for this type of property at the market value estimated in this report would not have exceeded twenty-four months.

**SUMMARY OF ANALYSIS AND VALUATION: The value estimated herein is subject to a detailed appraisal. The appraisers' best opinion of the market value "as is" of the subject property as of June 5, 2015, is estimated to be as follows:**

**ONE HUNDRED AND FIFTY THOUSAND DOLLARS  
(\$150,000.00)**

Respectfully submitted,



Joe Patterson, MAI, SRA  
President, TX-1321595-G



Irene B. Thompson  
Associate, TX-1336175-G

SUBJECT AERIAL VIEW



Note: lot lines are approximate and for illustration purposes only.

## SUBJECT FLOOD MAP



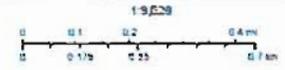
# SUBJECT ZONING MAP

## City of Pharr - Public Map



June 5, 2015

- |                              |                              |                                   |
|------------------------------|------------------------------|-----------------------------------|
| Benchmark                    | Drainage Easement (DE)       | Two-Family (R-2)                  |
| City Limits                  | Heavy Commercial (HC)        | Medium Density Multi-Family (R-3) |
| COP_Zones_Public             | Limited Industrial (LI)      | High Density Multi-Family (R-4)   |
| Agricultural Open Space (AO) | Neighborhood Commercial (NC) | Mobile Home (MH)                  |
| General Business (G)         | PDSIA ISD (PDSIA)            | Single-Family (R-1)               |
|                              | Single-Family (R-1)          | Other                             |



CITY OF PHARR, TEXAS  
 PHARR, TEXAS  
 19,629 FEET  
 0.4 MILES

06/05/2015

## SUMMARY PAGE

**Available Financing:** Typical terms would be 15% to 50% down; 4% to 10% interest rate; amortized over a period of 7-15 years; balloon in 3-10 years.

**Environmental Hazard:** The appraisers did not notice any environmental hazards; however, the appraisers are not qualified to detect the existence of or cost to cure environmental contamination. The value estimated in this report is predicated on the assumption that no such condition exists.

**Statement of Competency:** The appraisers have a combined total of over 59 years experience in the real estate appraisal business which has included the appraisal of similar properties; therefore, have attained the necessary knowledge and experience to competently complete this assignment (See Qualifications).

**Income Property Provision:** Not applicable.

**Contingency Provision:** The appraisers certify that their compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. Furthermore, this appraisal assignment is not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

**Data Sources:** Sources used in investigating comparable sales include local multiple listing services, lenders, realtors, builders, developers, individuals and other appraisers.

**Personal Property:** This appraisal does not include furniture, fixtures, and equipment in the market value estimate. The final value estimate does not include intangible items such as trademarks or goodwill. The exclusion of these items is estimated to have no impact on the market value estimate.

**External Value:** The appraisers estimate that the subject has no significant natural, cultural, recreational or scientific value.

**Pertinent Information:** No environmental study is provided.

**Market/Trends:** Signs of recent sales activity and increased lending indicate that the local real estate market is steadily recovering from a stagnant economic climate. This trend of tempered recovery is expected to continue for the remainder of 2015.

**Provision for Disabilities Act:** The Americans with Disabilities Act (ADA) became effective January 26, 1992. The appraisers have not made a compliance survey and analysis of this property to determine whether or not it is in conformity with the various details requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this could have a negative effect upon the value of the property. Since the appraisers have no direct evidence relating to this issue, possible noncompliance within the requirements of ADA in estimated the value of the property has not been considered.

**Statement of Compliance:** This appraisal conforms to the generally accepted standards of the Uniform Standards of Professional Appraisal Practice (USPAP).

SUMMARY PAGE (continued)

Marketing & Exposure Time: The marketing time for the subject is estimated to be 18-24 months. A reasonable exposure period would have been 24 months.

History: According to the Hidalgo County Appraisal District, the current owner of record is Oscar Santos, who has maintained ownership in excess of three years. The subject property does not appear to have been listed for sale through the local MLS within the past three years. No further information was discovered by the appraisers in the normal course of business.

CERTIFICATION

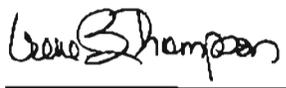
I certify that, to the best of my knowledge and belief:

- ✓ The statements of fact contained in this report are true and correct.
- ✓ The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- ✓ I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- ✓ I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- ✓ I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- ✓ My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- ✓ My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- ✓ My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- ✓ I have (or have not) made a personal inspection of the property that is the subject of this report.
- ✓ No one provided significant real property appraisal assistance to the persons signing this certification.
- ✓ The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- ✓ The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- ✓ As of the date of this report, Joe W. Patterson, MAI, SRA has completed the continuing education program of the Appraisal Institute.



Joe Patterson, MAI, SRA  
TX-1321595-G

Did  Did Not Physically  
Inspect the Property



Irene B. Thompson  
TX-1336175-G

Did  Did Not Physically  
Inspect the Property

## ASSUMPTIONS AND LIMITING CONDITIONS

1. This is a Restricted Appraisal Report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2 (b) of the Uniform Standards of Professional Appraisal Practice for a Restricted Use Appraisal Report. As such, it presents no discussions of the data, reasoning, and analyses that are used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisers' file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated. The appraisers are not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable.
8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority for any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.
12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.

### ASSUMPTIONS AND LIMITING CONDITIONS (continued)

13. The appraiser is not qualified to detect hazardous waste and/or toxic materials. A comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the results of routine observations made during the appraisal process.

14. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.

15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.

16. The distribution, if any, of the total valuation in this report between land and improvements applies only under that stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.

17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with property written qualifications and only in its entirety.

18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or the media without prior written consent and approval of the appraiser.

**Texas Appraiser Licensing and Certification Board**

P.O. Box 12188 Austin, Texas 78711-2188

**Certified General Real Estate Appraiser**

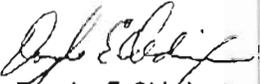
Number: **TX 1321595 G**

Issued: **10/25/2013**

Expires: **12/31/2015**

Appraiser: **JOSEPH WILLIAM PATTERSON III**

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified General Real Estate Appraiser.

  
Douglas E. Oldmixon  
Commissioner

QUALIFICATIONS OF THE APPRAISER  
JOSEPH W. PATTERSON, III

State Licensing and Certification

Licensed and certified by the State of Texas as a General Real Estate Appraiser: License Number TX-1321595-G (Date of Issue: October 25, 2013 and Date of Expiration: December 31, 2015)

Professional Designations

Member of Appraisal Institute with MAI and SRA Designations

Education

Bachelor of Business Administration from Baylor University, Waco, Texas

Graduate Study at Baylor University Law School, Waco, Texas

Continuing Education in Real Estate and Appraising at University of Houston, University of North Carolina, San Diego University, University of Colorado, University of Illinois, Mills College (Oakland), and University of Texas Pan American

Professional Affiliations

Member of the McAllen Board of Realtors

Member of the Texas Association of Realtors

Member of the National Association of Realtors

Professional Offices Held

President of Rotary Club of McAllen, Texas, Chapter #2076, 1996-1997

President of the Society of Real Estate Appraiser, Rio Grande Valley, Chapter #144 – 1983-1984

Board of Directors of the Society of Real Estate Appraiser, Waco, Texas, Chapter #145 – 1975-1977

Board of Directors of the Society of Real Estate Appraiser, Rio Grande Valley, Chapter #144 – 1976-1991

Board of Directors of the American Institute of Real Estate Appraisers, South Texas Chapter #29 – 1986-1991

Teaching Experience

Instructor for Real Estate Appraising and Real Estate Law at Hill Junior College, Hillsboro, Texas

Substitute Instructor for Real Estate Principle, Real Estate Law, Real Estate Finance, Real Estate Appraising and Business

QUALIFICATIONS OF THE APPRAISER (continued)  
JOSEPH W. PATTERSON III

Professional Experience

Joe Patterson began his appraisal experience in 1971 as an independent appraiser with Smith Real Estate Association in Waco, Texas for five years. He was also a staff appraiser for First Federal Savings and Loan Association in Waco, Texas for one year. He then associated himself with D.U. Buckner, a local MAI, for seven years as an independent fee appraiser. In 1986 he opened his own office, J.W. Patterson and Associates, and currently covers the Rio Grande Valley area from his McAllen office.

As an appraiser for the past 41 years, he has worked on the following types of properties: single family residences, duplexes, apartments, manufacturing properties, shopping centers, discount houses and supermarkets, hospitals, hotels and motels, funeral homes, restaurants, developments, churches, schools, medical clinics, warehouses, banks, farms, ranches, bowling alleys, convention centers, grain elevators, gins, condominium projects, food processing plants, civilian airport facilities, and "FIRREA" affordable housing program. Other assignments include partial taking, eminent domain, easements, and partial interests.

Joe has also served as the guest speaker and lecturer for numerous local service clubs, professional organizations and schools, including University of Texas Pan American.

Recently Completed Course Studies

USPAP Update 2012/2013, No. 101, offered by the Columbia Institute, Austin, Texas, January 18, 2013

Appraising in a Depressed Market, No. 125, offered by the Columbia Institute, Austin, Texas, January 16, 2013

Interagency Rules of Banks and Credit Unions, No. 011, offered by the Columbia Institute, Austin, Texas, January 15, 2013

Write It Right, No 148, offered by the Columbia Institute, Austin, Texas, January 17, 2013

Online Appraisal Curriculum Overview – Residential, offered by the Appraisal Institute, January 14, 2013,

Online Business Practices and Ethics, offered by the Appraisal Institute, December 12, 2012

Report Writing-the UAD, No. 120, offered by the Columbia Institute, Harlingen, Texas, August 2, 2011

The Mortgage Loan System, No. 015, offered by the Columbia Institute, Harlingen, Texas, August 1, 2011

Practice of Appraisal Review – FHA Protocol, No. 145, offered by the Columbia Institute, Harlingen, Texas, February 2011

USPAP Update 2010-2011, No. 101, offered by the Columbia Institute, Harlingen, Texas, March 2011

USPAP Update No. 101, September 2009

Identifying Relevant Characteristics Course 019 – The Columbia Institute, Sept. 2009

FHA Today Course 114 – The Columbia Institute, March 2009

Fannie Mae Today Course 116 – The Columbia Institute, March 2009

Basic Appraisal Principles, The Appraisal Institute, North Texas Chapter, May 2007

Scope of Work and Appraiser Due Diligence, No. 36, The Columbia Institute, April 2007

USPAP Update No. 101, The Columbia Institute, April 2007

QUALIFICATIONS OF THE APPRAISER (continued)  
JOSEPH W. PATTERSON III

Fundamental of Appraisal Review No. 105, The Columbia Institute, April 2007  
FHA, the URAR & the 1025 No. 104, The Columbia Institute, April 2007  
Business Practices and Ethics, The Appraisal Institute, February 2007  
Uniform Standards of Professional Practice, USPAP Update, The Appraisal Institute, Houston Chapter, September 2005  
Litigation Skills for this Appraiser, The Appraisal Institute Houston Chapter, Sept. 2005  
Ethics & Special Purpose Properties, The Appraisal Institute, September 2005  
Appraising from Blueprints and Specifications, The Appraisal Institute Online Continuing Education Program, Chicago, Illinois, February, 2005  
Uniform Standards of Professional Practice, USPAP Update, The Appraisal Institute North Texas Chapter, June 2003  
Small Hotel/Hotel Valuation, the Appraisal Institute Online Continuing Education Program, Chicago, Illinois, November 2002  
Appraisal Procedures, The Appraisal Institute, Daniels College of Business, Denver, Colorado, August, 2002  
Techniques of Appraisal Review, The Columbia Institute, Course #108, October 2001  
Residential Appraisal Update, The Columbia Institute, course #117, October 2001  
Standards of Professional Practice, Part C, The Appraisal Institute, September 2001  
GIS and Appraising, The Appraisal Institute, Austin, Texas, August, 1999  
1999 FHA Appraisal Rules #119, The Columbia Institute, September 1999  
Standards of Professional Practice, Part C, The Appraisal Institute, September 1999  
Comprehensive Examination Prep, the Appraisal Institute, February 1998

**Texas Appraiser Licensing and Certification Board**

P.O. Box 12188 Austin, Texas 78711-2188

**Certified General Real Estate Appraiser**

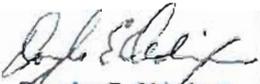
Number: **TX 1336175 G**

Issued: **06/03/2014**

Expires: **06/30/2016**

Appraiser: **IRENE BECERRA THOMPSON**

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified General Real Estate Appraiser.

  
Douglas E. Oldmixon  
Commissioner

QUALIFICATIONS OF THE APPRAISER  
IRENE B. THOMPSON

State Licensing and Certification

Licensed and certified by the State of Texas as a General Real Estate Appraiser: License Number TX-1336175-G (Date of Issue: June 3, 2014; Date of Expiration: June 30, 2016)

Education

Graduate, Weslaco High School, May, 1992

Three years education toward Bachelor of Arts in History and Philosophy, Brown University, September, 1992 through May, 1995

Continuing Education in Real Estate and Appraising at The Appraisal Institute, Lincoln Graduate Center, The Columbia Institute, Trinity University, Lon Morris College, and Geo Leonard School of Real Estate.

Professional Experience

Irene Thompson has been associated with Aguirre & Patterson, Inc. from September, 1998, to the present. As an independent appraiser, Mrs. Thompson has gained valuable experience appraising various types of properties throughout the Rio Grande Valley. The following is a list of the types of properties Mrs. Thompson has appraised: single-family residences, multi-family apartments, residential condominiums, residential lots, unimproved land tracts, subdivisions, right of ways, easements, dine-in and fast food restaurants, condominium shell facilities, single-tenant and multi-tenant retail centers, professional business centers, commercial buildings, convenience stores, professional offices, medical clinics, assisted living centers, rehabilitation hospitals, banquet halls, community centers, churches, public schools, charter schools, adult and child day care centers, office/warehouses, distribution warehouses, manufacturing warehouses, condominium warehouses, cold storage facilities, cement plants, farms, ranches, motels, hotels, mobile home and RV parks, unimproved commercial lots, self-service and automatic car washes, government facilities subject to GSA leases, golf courses, auto service/quick lube auto shops, and leasehold estates.

Recently Completed Course Studies

7-Hour USPAP Update, McKissock, June 2014

Appraisal of Self-Storage Facilities, McKissock, June 2014

Land and Site Valuation, McKissock, May 2014

Environmental Issues for Appraisers, McKissock, May, 2014

Mold, Pollution and The Appraiser, McKissock, May 2014

7-Hour USPAP Update, McKissock, May 2012

Ad Valorem Tax Consultation, McKissock, May 2012

Disclosures & Disclaimers, McKissock, May 2012

How to Analyze and Value Income Properties for Financing, McKissock, May 2012

Private Appraisal Assignments, McKissock, May 2012

Analyzing Operating Expenses, The Appraisal Institute, May 6, 2010

Advanced Internet Search Strategies, The Appraisal Institute, May 5, 2010

Uniform Standards of Professional Appraisal Practice, Update – The Appraisal Institute, February 22, 2010

FHA Today, No. 114, The Columbia Institute, March 2, 2009

Technology for Today's Appraiser, McKissock, May 30, 2008

QUALIFICATIONS OF THE APPRAISER  
IRENE B. THOMPSON (continued)

Survey of the Cost Approach, No. 106, The Columbia Institute, April 8, 2008  
FHA, the URAR & the 1025, No. 104, The Columbia Institute, April 7, 2008  
Uniform Standards of Professional Appraisal Practice, Update – The Appraisal Institute, May 24, 2007  
Uniform Standards of Professional Appraisal Practice (Course USPAP) – Online – Center for Career Education – March 20, 2006  
Fundamentals of Real Estate Appraisal – Correspondence – Lon Morris College – February 1, 2006  
Appraising Residential Properties – Correspondence - Lon Morris College - August 18, 2004  
Uniform Standards of Professional Appraisal Practice, Update (Course- USPAP 2004) – The Appraisal Institute, February 27, 2004  
Industry Update Manufactured Housing – Lincoln Graduate Center, February 24, 2003  
New Fannie Mae Appraisal Guide – The Columbia Institute, March 14, 2003  
Uniform Standards of Professional Appraisal Practice, Update (Course- USPAP 2002) – The Appraisal Institute, April 27, 2002  
Principles and Techniques of Appraisal Review (Course - 108) - The Columbia Institute, June 9, 2001  
Farm and Land Appraisal (Course - 637) - National Association of Master Appraisers, Lincoln Graduate Center, April 28, 2001  
Income Property Appraisal (Course – 231) – Correspondence – Lon Morris College, February 28, 2000  
Uniform Standards of Professional Appraisal Practice (Course – USPAP 99) Correspondence – Trinity University, September 1, 1999  
Principles of Real Estate (Course – 111) – Geo Leonard School of Real Estate, August 9, 1998  
Real Estate Appraisal (Course – 211) – Geo Leonard School of Real Estate, August 29, 1998  
Practice of Real Estate Appraisal (Course – 636) – Lincoln Graduate Center, February 2, 1999  
Real Estate Law (Course – 311) – Geo Leonard School of Real Estate, February 20, 1999



**Pharr**  
**Administration**  
interoffice  
**MEMORANDUM**

**To:** Mayor and City Commission

**From:** Hilda Pedraza, TRMC City Clerk

**Subject:** Agenda Item – Consultation with the Board of Commissioners on the appointment of an Interim Finance Director and review of the city organization structure.

**Date:** June 16, 2015

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This item will be discussed in closed session.

Thank you.



interoffice  
MEMORANDUM

**To:** Mayor and City Commission

**From:** Hilda Pedraza, TRMC City Clerk

**Subject:** Agenda Item – Consultation with the Board of Commissioners on pending  
Personnel Action Forms

**Date:** June 16, 2015

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This item will be discussed in closed session.

Thank you.



**AGENDA ITEM REQUEST**

MEETING DATE: June 16, 2015

INITIATED BY: Chief Ruben Villescas DEPARTMENT: Police

AGENDA ITEM: Consideration and Action, if any, approving Retirement and Donation of City of Pharr Police K9

PARTY MAKING THE REQUEST: Ruben Villescas

NATURE OF THE REQUEST: approving Retirement and Donation of City of Pharr Police K9

**BUDGET:**

EXPENDITURE REQUIRED: \$ 0

CURRENT BUDGET: \$ 0

ADDITIONAL FUNDING: \$ 0

**ROUTING:**

LEGAL: \_\_\_\_\_

DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_

DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD:  DATE: 6-9-15

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER:  DATE: 6/10/15

**STAFF RECOMMENDATION:**

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



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



To: Mayor and Commissioners  
Thru: Juan Guerra, Interim-City Manager  
From: Ruben Villescascas, Police Chief  
Date: June 9, 2015  
Subject: Consideration and Action, if any, approving Retirement and Donation of City of Pharr Police K9

**Background:**

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 8.B.

**Discussion:**

The City of Pharr Police Department purchased Police Service Dog "Boss" in 2010. K9 Boss has served the Pharr Police Department for the past six years. K9 Boss degenerative medical state and a recent injury has resulted in a condition that impairs its ability to perform its assignment. This department received a medical diagnosis which indicated that K9 Boss be retired from service. This department asks that K9 Boss be retired and donated to its current handler.

Police Service Dogs and their handlers require a unique bond for a productive and successful working relationship. It is a custom and practice in the K9 Law Enforcement community to donate a police service dog to its current handler upon retirement. This practice is carried on, because many police service dogs have perished without their handler in their waning years of life. The Pharr Police Department K9 Boss is a neutered seven year old dog with medical issues that will require love and attention from a caring master. K9 Officer Noe Martinez has been with K9 Boss for the past two years and he has demonstrated to be a caring and loyal handler.

**Recommendation:**

I recommend that the city commission approve the retirement of K9 Boss and donated to its current handler.



*Man  
6/10/15 Agenda item.  
Please advise  
THX-Hilda*

**Terri Drefke**  
Chief Executive Officer

**Board of Directors**  
2015

**President**  
Jody Nelsen  
Retired Higher Education

**Vice President**  
Abel Orendain  
Orendain Dominguez,  
Attorneys At Law

**Treasurer**  
Robert Levrier  
AIM Media TX

**Secretary**  
Michelle Zamora  
Frost Bank

Romeo Cantu  
Perdue Brandon  
Law Firm'

Tony Gonzalez  
HEB

Jerry Jackson  
Jackson Business  
Consultant

Robert Chamberlain  
Security Service Credit  
Union

Andrea Rodriguez  
Embassy Suites

Yolanda Gonzalez  
Wells Fargo Bank

Cristobal Perez  
USDA Farm Service  
Agency

Jaime Tijerina  
Attorney at Law

Luciano S. Garza, III  
Advertising Sales

Nancy Springer  
St. John's Episcopal  
Church

Lina Cantu Cruz  
Edinburg High School

Dear Mayor Hernandez and City Commissioners,

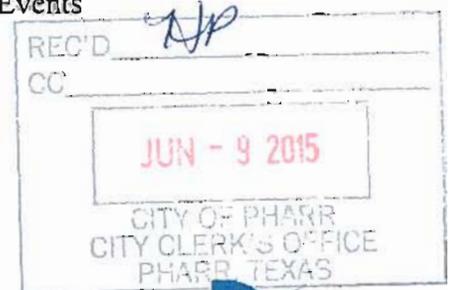
Now in existence for more than 29 years, The Food Bank of the Rio Grande Valley continues to strive to expand its programs and offerings to the community. Today, our Food Bank has grown to become the 36th largest in the nation and 5th largest in Texas based on food distribution. We are proudly affiliated with Feeding America and Feeding Texas. The Food Bank is headquartered in Pharr, but serves all of Hidalgo, Willacy and Cameron counties. The Food Bank RGV distributes on average 25 million pounds of food a year through 230 agencies (churches, shelters, etc.) in the Rio Grande Valley. We currently have 6 pantries in Pharr-area, including Seventh-Day Adventist Church, St. Anne's Church, St. Margret Mary Church, St. George the Great Martyr Church, Trinity Worship Center and United Methodist Church.

We are asking for your help to support our annual Empty Bowls event by donating the use of the Boggus Ford Events Center at no cost on Tuesday, September 29, 2015, from 11:00am to 1:30pm. We will have City of Pharr logo/name on all promotional items and verbal recognition during the event. Your generosity will make a difference in our community by allowing us to continue in our work in fighting hunger and feeding hope.

The Food Bank of the Rio Grande Valley is passionately committed to improving lives through food assistance, nutrition education, and access to community services. In order to meet our mission and provide services in our community, we rely on the generosity of individuals and businesses for support. Without the assistance of community-minded individuals just like you, we wouldn't be able to serve those in our community each year.

Sincerely,

Philip Farias, Manager of Corporate Engagement and Events



**Food Bank of the Rio Grande Valley, Inc.**  
P.O. Box 6251, McAllen, TX 78502 • 724 N. Cage Blvd, Pharr, TX 78577  
Phone: (956) 682-8101 • Fax: (956) 682-7921  
[www.foodbankrgv.com](http://www.foodbankrgv.com)





**AGENDA ITEM REQUEST**

MEETING DATE: 6-16-15

INITIATED BY: Francisco Marin DEPARTMENT: Parks and Recreation

AGENDA ITEM: Request for Approval to Partner with AWARE-RGV and Perficientur, to co-host Coding/Minecraft Game Day Palooza 2015, at the Jose "Pepe" Salinas Memorial Civic Center. Should this Item be Approved, it will be held on Saturday, July 25, 2015, from 9:00 a.m. to 4:00 p.m.

PARTY MAKING THE REQUEST: City of Pharr Parks and Recreation Department

NATURE OF THE REQUEST: Request for Approval to Co-host this Event Designed to Promote Autism Awareness and Acceptance in the Community.

**BUDGET:**

EXPENDITURE REQUIRED: \$0

CURRENT BUDGET: \$0

ADDITIONAL FUNDING: \$0

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: [Signature] DATE: 6-11-15

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:** Staff recommends that the city approve of this item.

Mr. Marin:

AWARE-RGV, in partnership with Perficietur (*Sense2Action Technologies*), CODE-RGV and The Barracks, will be co-hosting the Coding/Minecraft Game Day Palooza 2015. The first of its kind in the Rio Grande Valley, the aim is to help raise Autism Awareness & Acceptance in our community. The event will be held July 25, 2015, from 9 AM to 4:00 PM.

Coupled with the tournament and tech related seminars will be a Health Fair featuring local medical, dental, psychological, and mental health providers as well as other businesses and organizations dedicated to providing services to the Autism Community.

Hosting an event of such caliber in your city will help promote the Pharr Parks & Recreation Department and the services offered to the Autism Community. The event will not only attract gaming enthusiast from across the Rio Grande Valley and the state, but it will also attract people of all ages interested in learning more about computer languages, coding, and other intriguing tech-related topics as well as Autism. We anticipate having 350 to 450 people attend Game day Palooza 2015.

AWARE-RGV (State of Texas Certificate of Issuance filed under DIFFERENT NOT LESS #802215677) is dedicated to raising awareness and providing education about Autism in the Community and to help support the parents and families of loved ones with Autism Spectrum Disorder.

For questions, please contact Esmeralda C. Leal at (956) 605-8555 or at [advocates@awarergv.org](mailto:advocates@awarergv.org)

Thank you for your time and support,

**AWARE-RGV**

*Advocates working to provide Autism Resources & Education*

**Game Day Palooza 2015 Committee**



**Pharr**  
**Administration**  
interoffice  
**MEMORANDUM**

**To:** Mayor and City Commission

**From:** Hilda Pedraza, TRMC City Clerk

**Subject:** Agenda Item – designation of Chief Negotiator for Fire and Police collective bargaining agreements.

**Date:** June 16, 2015

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This item will be discussed in closed session.

Thank you.



**AGENDA ITEM REQUEST**

MEETING DATE: June 16, 2015

INITIATED BY: Chief Ruben Villegas DEPARTMENT: Police

AGENDA ITEM: Request for Authorization of the purchase of police narcotic canine from Worldwide Canine Inc.

PARTY MAKING THE REQUEST: Ruben Villegas

NATURE OF THE REQUEST: Authorization to Purchase Narcotic Canine

**BUDGET:**

EXPENDITURE REQUIRED: \$ 7,500.00

CURRENT BUDGET: \$ 0

ADDITIONAL FUNDING: \$ 0

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD:  DATE: 6-9-15

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:**

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



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



To: Mayor and City Commission  
 Thru: Juan Guerra, Interim-City Manager  
 From: Ruben Villegas, Police Chief  
 Date: 06/09/15  
 Subject: Request authorizing for the purchase of Narcotic Canine from Worldwide Canine Inc. for the amount of \$7,500.00

This request was routed to the City Manager office for consideration by the city commission.

**Background:**

On May 21, 2015 this department received official notice from Banfield-The Pet Hospital that K9 Boss a 7 year old Belgian Malinois would have to be retired. The Pharr Police Department began the process of identifying a replacement for K9 Boss.

**Discussion:**

This department’s personnel conducted an evaluation on (3) vendors that provide narcotic canines to law enforcement agencies. Department personnel is recommending the purchase of a narcotic canine from Worldwide Canine Inc. Worldwide Canine Inc. is a main supplier of canines for local, state, and federal agencies within the State of Texas.

The department will utilize seized asset funds for the purchase of this canine. Once the purchase of the canine is made, the canine will be trained by our Department **Certified Master Canine Instructor Officer Marty Vielma** for the period of (4) weeks.

Vendor	Location	Type of Canine	Total Cost
Worldwide Canine Inc.	Spring Branch, Texas	Dual Purpose	\$7,500.00
Hill Country Dog Center	Pipe Creek, Texas	Dual Purpose	\$12,500.00
Shallow Creek Kennel	Sharpville, Pa	Dual Purpose	\$12,000.00

**Recommendation:**

Based on the foregoing discussion, I hereby recommend that the City Commission approve this item and authorize the purchase of the narcotic canine from Worldwide Canine Inc.

# MEMORANDUM

DATE: June 12, 2015

TO: Hilda Pedraza, City Secretary

FROM: Karla Moya-Assistant Finance Director

SUBJECT: Agenda Item to Award Depository Contract June 16, 2015 Meeting

Staff will present and recommend from submitted proposals to award contract for Depository Services.

## CONSULTING AGREEMENT

THIS CONSULTING AGREEMENT (the "Agreement") is made and entered into effective as of the \_\_\_ day of June, 2015 by and between the City of Pharr, Texas (the "Client"), and TIF Services of South Texas (the "Consultant").

WITNESSETH:

WHEREAS, the Client has agreed to engage the Consultant, and the Consultant has agreed to perform certain consulting services upon the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. Engagement. The Client hereby engages the Consultant to serve as a consultant to the Client, and the Consultant hereby accepts such engagement, upon the terms and conditions set forth herein. The Consultant's engagement hereunder is with the agreement that the engagement is not exclusive, and that the Consultant may have other business investments and interests.

2. Duties. During the Term of this Agreement, the Consultant shall perform the services set forth on Exhibit A hereto (the "Services"). The Consultant agrees to perform all of the Services to be performed by him hereunder in a diligent and businesslike manner.

3. Consulting Fees. In full payment for the Services, the Client shall pay the Consultant the compensation set forth on Exhibit A to this Agreement. The Client shall also reimburse the Consultant for all reasonable travel and business expenses incurred in connection with the Services provided hereunder in accordance with the Client's reimbursement policies.

4. Term. Subject to Section 8 hereof, the initial term of this Agreement (such initial period and all extensions thereof being referred to herein as the "Term") shall commence on the date hereof and end on December 31, 2016. Upon termination of this Agreement, neither party shall have any further liability or obligation to the other hereunder.

5. Independent Contractor. The Consultant shall perform his duties hereunder as an independent contractor and he is not and shall not be an employee of the Client. The Client and Consultant acknowledge that the Consultant will not be entitled to any insurance, pension, profit sharing, retirement or other fringe benefits that the Client may provide to its employees during the term of this Agreement. Accordingly, the Consultant shall be responsible for any withholding of sums due as a result of any payments made hereunder and payment of all taxes arising out of the Consultant's activities under this Agreement.

6. Section Deleted

7. Confidential Information. All information relating to the business and affairs of the Client shall be treated as confidential by the Consultant other than material which becomes a "public record" both during and after the Term hereof. The Consultant shall not disclose any of such information at any time to any person except authorized personnel of the Client and its affiliated corporations or use such information to the detriment of the Client or its agencies. All data, records and written material prepared or compiled by the Consultant concerning the Client, in connection with his services hereunder or furnished to the Consultant by the Client or its agencies prior to or during the Term hereof shall be the sole and exclusive property of the Client, and none of such data, records or other materials, or copies thereof, shall be retained by the Consultant after the Term of this Agreement.

The obligations set forth in this Section 7 shall not apply to information that is or becomes generally available to the public other than through disclosure by or through the Consultant or any of his affiliates or disclosure required by order of a court or governmental regulatory authority of competent jurisdiction.

8. Termination.

(a) Death or Disability. In the event that the Consultant should become unable to continue in its capacity during the Term, the Term shall terminate as of the date of incapacity.

(b) Cause. The Client, at its option, may terminate the Term and all of the obligations of the Client hereunder for Cause. For the purposes of this Agreement, the Client shall have "Cause" to terminate the Consultant's engagement hereunder in the event of (i) the Consultant's being charged with or entering a plea of guilty or nolo contendere to a felony (other than minor traffic violations) or committing a fraudulent or dishonest act or other act of moral turpitude materially injurious to the Client, (ii) the Consultant's breach of this Agreement in any material respect or (iii) the Consultant's negligence or bad faith in the performance of the services contemplated hereby.

(c) Without Cause. The Client may terminate this Agreement at any time for any reason, or no reason, with thirty (30) days prior written notice to Consultant.

(d) Termination of Obligations. Upon the termination of this Agreement, whether by the expiration of the Term specified in Section 4 or pursuant to Section 8, the rights of the Consultant that shall have accrued prior to the date of such termination shall not be affected in any way, and the Consultant shall be entitled to receive the compensation set forth in Exhibit A hereof that has accrued and has not been paid through the date of termination, as well as reimbursement of all fees and expenses incurred by the Consultant as provided in Section 4 hereof. In the event that the Client terminates this Agreement hereunder, the Client shall not be entitled to reimbursement of any of the compensation or reimbursement of expenses paid to the Consultant prior to the date of the termination of this Agreement. The Consultant shall not have any rights that have not previously accrued upon termination of this Agreement. The obligations

PROPOSED SCHEDULE  
TAX INCREMENT REINVESTMENT ZONE # 2  
City of Pharr, Texas

June 16, 2015	Approve Contract with TIF Services of South Texas
June 17, 2015	Meet with Finance Director and other City Staff as needed
Next City Council Meeting	Intent to Create Resolution
June 22- July 31, 2015	Prepare Preliminary Finance and Development Plan. Survey all proposed Zone properties, meet with County EDC Staff and make other presentations as necessary. Prepare Preliminary map and list of accounts with preliminary base values.
2nd Week in August	Meet with City Staff to go over any map revisions and/or changes
August City Council	Create Zone and appoint Board
August	Board meets and approves Finance and Development Plan and Draft Inter-local Agreement
Next City Council	Approve Final Finance and Development Plan and Draft Inter-local
August-September	Meet with County Staff, County Commissioner and County Judge
September-October	Meet with County as needed make presentation to Commissioners Court. Approval of Inter-Local by County
October-November	Complete all work necessary for the finished Tax Increment Reinvestment Zone # 2 City of Pharr.



**AGENDA ITEM REQUEST**

MEETING DATE: June 11, 2015

INITIATED BY: David Garza/Frank Marin DEPARTMENT: Administration-Park & Recreation

AGENDA ITEM: Consideration and action on inter-local agreement with the PSJA School District and the City of Pharr for the Aquatic Center Facility

PARTY MAKING THE REQUEST: David Garza/Frank Marin

NATURE OF THE REQUEST: Inter-local agreement with the PSJA school district

**BUDGET:**

EXPENDITURE REQUIRED:

CURRENT BUDGET:

ADDITIONAL FUNDING:

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: Deeey DATE: 6-11-15

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:**

**Staff recommends approval.**

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF PHARR AND  
THE PHARR SAN JUAN ALAMO INDEPENDENT SCHOOL  
DISTRICT**

STATE OF TEXAS                    §

COUNTY OF HIDALGO            §

AQUATICS FACILITY AGREEMENT –  
THE CITY OF PHARR AND THE PHARR  
SAN JUAN ALAMO SCHOOL DISTRICT

This Agreement is an amendment to the Subsidiary Agreement between the parties dated November 21, 2011 which is itself a Subsidiary Agreement to the Master Agreement between the parties, dated November 21, 2011.

WITNESSETH THAT:

The School District desires to provide competitive swimming programs for students at the Aquatic Center, subject to the following terms and conditions:

NATATORIUM AND COMPETITION SWIMMING POOL:

Monday through Friday, 6:00 a.m. to 6:00 p.m.

August 26, through May 31,

I. OPERATIONAL COSTS

From September 1, through May 1, the School District shall pay the City 80% of the lifeguards/swim instructors, 50% aquatic supervisor, 60% of the electricity costs, 50% of the water usage, and 50% of the chemical used to maintenance the pools. The payments will be made on a quarterly basis within thirty days after receipt of charges. In the event that major Natatorium equipment maintenance or replacement is required, such as air conditioning/heating system, water boiling system, filtration system, chemical feeding system, the chemical controller, and the Colorado Timing System, the School District shall pay 50% of all maintenance or replacement costs. The number of lifeguards hired for the PSJA swim program shall be based on the American Red Cross guidelines.

PSJA has the right to audit any of the operating cost documentation.

## II. RESPONSIBILITIES OF THE CITY

1. The City shall provide proper water and aquatic building maintenance.
2. The City shall provide staff to open and close the necessary facilities, as well as standard water safety services while being used by the School District.
3. The City shall provide lifeguard training as scheduled during the year.
4. The City shall coordinate with the School District scheduled, maintenance, repair, or improvements to the facilities.
5. The City shall clean and maintain the shower and restroom facilities.
6. The City shall conduct an inspection report of the aquatic facility on a daily basis.
7. The City shall not provide concession services during hours in which the School District is conducting structured swim programs.
8. The City shall provide the School District a written schedule of their swimming events prior to the upcoming school year.
9. The City shall be responsible for any damages to swimming pool equipment, structures or any part of the premises during City occupancy.
10. The City shall provide timesheets of lifeguards of hours worked.
11. The City shall report to the district in writing of any repairs to be done to the aquatic facility

## III. RESPONSIBILITIES OF THE SCHOOL DISTRICT

1. The School District shall provide the City a written schedule of swimming events prior to the upcoming school year.
2. The School District shall be responsible for any damages to swimming pool equipment, structures or any part of the premises during School District occupancy.
3. The School District shall report in writing any damaged equipment or hazards to the aquatics supervisor or pool manager immediately.
4. The School District shall be responsible for monitoring and supervising their activities. The School District shall insure that personnel and participants follow safety policies and procedures.

## IV. INSURANCE

The School District shall keep in force during the term of this Agreement, Comprehensive General Liability insurance, in amounts sufficient to protect it against liability under state law.

## V. CITY PROGRAM

City shall retain the right to schedule learn to swim and general public swimming programs as follows:

AQUATIC CENTER

General Public Swimming and Youth Learn to Swim Lessons

June through August, Monday through Friday, 7:00 a.m. to 10:00 p.m.

April through September, Saturday and Sundays, 7:00 a.m. to 10:00 p.m.

October through September, Monday through Friday, 6:00 p.m. to 9:00 p.m.

The City shall also retain the discretion to schedule swim programs with other school districts, universities, and church organizations at available times not conflicting with School District and City swim program schedules from June through August 15.

IN WITNESS WHEREOF, the City and the School District have caused this Agreement to be executed by their authorized officers effective as of the \_\_\_ day of \_\_\_\_\_ 2015.

PSJA Independent School District

By: \_\_\_\_\_  
Dr. Daniel P. King, Superintendent of Schools

City of Pharr

By: \_\_\_\_\_  
Ambrosio Hernandez, Mayor

Attested By: \_\_\_\_\_  
Hilda Pedraza, City Clerk

Approved as to Form:

\_\_\_\_\_  
Michael Pruneda, City Attorney



**AGENDA ITEM REQUEST**

MEETING DATE: June 16, 2015

INITIATED BY: William F Ueckert Jr. DEPARTMENT: Engineering

AGENDA ITEM: Discussion and possible action, if any, on authorizing Interim - City Manager to negotiate contract with Javier Hinojosa Engineering for Engineering Design Services of Hi-Line Street Improvements – Cage Blvd to Jackson Road.

PARTY MAKING THE REQUEST: William F. Ueckert Jr., P.E. - City Engineer

NATURE OF THE REQUEST: Preparation Final Plans and Specifications

**BUDGET:**

EXPENDITURE REQUIRED: \$ 35,000

CURRENT BUDGET: \$

ADDITIONAL FUNDING: \$

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER:  \_\_\_\_\_ DATE: 6/11/15

**STAFF RECOMMENDATION:**

Staff recommends to negotiate contract with Javier Hinojosa Engineering.



**AGENDA ITEM REQUEST**

MEETING DATE: June 16, 2015

INITIATED BY: William F Ueckert Jr. DEPARTMENT: Engineering

AGENDA ITEM: Discussion and possible action, if any, on authorizing Interim - City Manager to negotiate contract with R. Gutierrez Engineering for Engineering Design Services for Navarro Street.

PARTY MAKING THE REQUEST: William F. Ueckert Jr., P.E. - City Engineer

NATURE OF THE REQUEST: Preparation Final Plans and Specifications

**BUDGET:**

EXPENDITURE REQUIRED: \$ 25,000

CURRENT BUDGET: \$

ADDITIONAL FUNDING: \$

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER:  DATE: 6-11-15

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:**

Staff recommends to negotiate contract with R. Gutierrez Engineering.



**AGENDA ITEM REQUEST**

MEETING DATE: June 11, 2015

INITIATED BY: Adolfo Garcia/Frank Marin DEPARTMENT: Library

AGENDA ITEM: Consideration and action, if any, authorizing Interim City Manager to to negotiate and execute contract for design service with the Warren Group for the South Branch Training & Emergency Operation Center building

PARTY MAKING THE REQUEST: Adolfo Garcia/Frank Marin

NATURE OF THE REQUEST: To negotiate and execute contract with Warren Group

**BUDGET:**

EXPENDITURE REQUIRED:

CURRENT BUDGET:

ADDITIONAL FUNDING:

**ROUTING:**

LEGAL: \_\_\_\_\_

DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_

DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_

DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: Ally

DATE: 6/12/15

CITY MANAGER: \_\_\_\_\_

DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:**

**Staff recommends approval.**



**AGENDA ITEM REQUEST**

MEETING DATE: June 16, 2015

INITIATED BY: William F Ueckert Jr. DEPARTMENT: Engineering

AGENDA ITEM: Discussion and possible action, if any, on authorizing Interim - City Manager to negotiate contract with Anthony Covacevich Consultant for the preparation of an environmental document for South Branch Training & Emergency Operation Center Building.

PARTY MAKING THE REQUEST: William F. Ueckert Jr., P.E. - City Engineer

NATURE OF THE REQUEST: Environmental document

**BUDGET:**

EXPENDITURE REQUIRED: \$6,000

CURRENT BUDGET: \$

ADDITIONAL FUNDING: \$

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_

ASSISTANT CITY MANAGER: *W. Ueckert* DATE: 6/12/15

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:**

Staff recommends to negotiate contract with Anthony Covacevich Consultant.



## Memorandum

**To:** Juan Guerra – Interim City Manager

**From:** William F. Ueckert Jr., P.E. - City Engineer

**Date:** June 16, 2015

**Re:** **Discussion and possible action, if any, on authorizing Interim - City Manager to negotiate contract with Anthony Covacevich Consultant for the preparation of an environmental document for South Branch Training & Emergency Operation Center Building.**

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Juan:

In order to apply for grants to fund any project, an environmental document is required. Engineering is recommending Anthony Covacevich Consultant to prepare the document. The firm has prepared two (2) environmental documents for the city.



**AGENDA ITEM REQUEST**

MEETING DATE: June 16, 2015

INITIATED BY: Chief Ruben Villescas DEPARTMENT: Police

AGENDA ITEM: Request Authorizing an Amendment to the InterLocal Cooperation Agreement with Hidalgo County for purchase of police emergency equipment by the City of Pharr Police Department under Operation Stonegarden Grant 2013.

PARTY MAKING THE REQUEST: Ruben Villescas

NATURE OF THE REQUEST: Authorization to Purchase Equipment

**BUDGET:**

EXPENDITURE REQUIRED: \$ 28,555.12 (0 % match)

CURRENT BUDGET: \$ 0

ADDITIONAL FUNDING: \$ 0

**ROUTING:**

LEGAL: \_\_\_\_\_ DATE: \_\_\_\_\_

FINANCE/PURCHASING: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPROVAL:**

DEPT. HEAD:  DATE: 6-9-15

ASSISTANT CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**STAFF RECOMMENDATION:**

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



## Pharr Police Department

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



**To: Mayor and City Commission**  
**Thru: Juan Guerra, Interim-City Manager**  
**From: Police Chief, Ruben Villegas**  
**Date: June 9, 2015**  
**Subj: Request for Authorization to Purchase Police Emergency Equipment from HGAC Utilizing 2013 Stonegarden Grant Funds**

### **Background:**

This request was forwarded to the city manager for consideration by the city commission. The Office of the Governor Division of Emergency Management announced and requested support of Operation Stonegarden, a project to enhance border security along the Texas-Mexico Border. The State of Texas is organizing and deploying state agency, county and local government law enforcement personnel and equipment to participate in a project to enhance border security along the Texas-Mexico border by supplementing the border security efforts of Federal agencies. The operation will be conducted all along the Texas-Mexico Border for the next several months for limited periods in specific areas.

The Stonegarden Grant funds, designated for police emergency equipment purchase, has been awarded to this department. This department was approved by the funding agency on purchasing four (4) 54" Legacy Light Bars, three (3) three piece light kits for Tahoes, two (2) Helio FLIR Thermal Imaging Devices with Remote and Coban Kits.

### **Discussion:**

The described equipment will be utilize on Pharr Police vehicles assigned to the Pharr International Bridge to enhance border security along the Texas-Mexico border. The department seeks authorization and approval of the purchase of the police emergency equipment from a state contract thru HGAC/ Fleet Safety Equipment for an amount of \$28,555.12.

### **Recommendation:**

Based on the foregoing discussion, I hereby recommend that the city commission authorize the purchase of the police emergency equipment from HGAC/Fleet Safety Equipment.



interoffice  
MEMORANDUM

**To:** Mayor and City Commission

**From:** Hilda Pedraza, TRMC City Clerk

**Subject:** Agenda Item – A) Attorney consultation related to pending litigation styled and numbered, PUPSA, et al vs. City of Pharr and PPOA, et al, Cause No. Cause No. 2218-15-F (332nd Jud. Dist. Crt. – Hidalgo County, Texas)

**Date:** June 16, 2015

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This item will be discussed in closed session.

Thank you.



interoffice  
MEMORANDUM

**To:** Mayor and City Commission

**From:** Hilda Pedraza, TRMC City Clerk

**Subject:** Agenda Item – Attorney consultation relating to the City rights, duties, privileges and obligations arising under Chapter 174, Texas Local Gov’t Code and the pending collective bargaining labor negotiations and related legal matters.

**Date:** June 16, 2015

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This item will be discussed in closed session.

Thank you.