

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
TUESDAY, APRIL 21, 2015 AT 12:00 P.M.
118 SOUTH CAGE 2ND FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Tuesday, April 21, 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 Michael Pruneda, City Attorney
CITY ENGINEER Bill Ueckert, City Engineer

ITEM 1 CALL TO ORDER:

Mayor Palacios called the meeting to order at 12:04 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

Gary Rodriguez led in the pledge of allegiance and Ruben Villescas, Police Chief said the prayer.

ITEM 2 CITY MANAGER'S REPORTS:

- A) City Engineer's Report
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of March 2014 Tax Collection Report
- D) Submission of April 2014 Sales Tax Report

- E) City events of interest
- F) Legislative/Project Update

Mayor Palacios introduced the items.

Fred Sandoval, City Manager, stated the City Engineer and Municipal Court Judge were in the audience and any questions could be entertained at this time. There being no questions, Fred Sandoval, City Manager, announced sales taxes were up by 8% and he reminded everyone that early voting begins next Monday, April 27, 2015 and asked everyone to go out to vote.

Mayor Palacios read a petition he received in which the citizens were requesting that the streets be repaved. He announced he was retiring next month from being in office after 31 years and stated he was not able to give his release speech yesterday he stated he would be doing one in the next few days. He stated he had received calls from people campaigning talking negatively about him and added he was still Mayor and felt he did not deserve to be treated this way. He further added he has not done anything illegal and asked the public to stop talking negatively about him.

Comm. Maldonado thanked Mayor Palacios for his many years of service.

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 MARCH 17, 2015 - REGULAR CALLED MEETING AND APRIL 1, 2015 – SPECIAL CALLED MEETING

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

PUBLIC HEARING

1. Javier Hinojosa, representing Manuel Mendez, President M and R Commodities, Inc., requested a change of zone from an Agricultural and/or Open Space District (A-O) to a Heavy Commercial District (H-C). The property is legally described as being 22.74 acres of land out of Lots 79 and 82 Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1100 Block of East Owassa Road. COZ#150314
2. Quintanilla, Headley and Associates, Inc., representing Cruz Cantu III, President of Esponjas Development Ltd., requested 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 3.63 acre tract of land out of Lot 8, Block 8, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1400 and 1500 Block of South Jackson Road. COZ#150315
3. Quintanilla, Headley and Associates, Inc., representing Cruz Cantu III, president of Esponjas Development Ltd., requested a change of zone from an Agricultural and/or Open Space District (A-O) to a Medium Density Multi-Family Residential District (R-3). The property is legally described as being a 16.92 acre tract of land out of Lot 8, Block 8, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1400 and 1500 Block of South Jackson Road. COZ#150316
4. Jose De Hoyos Jr., requested a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). The property is legally described as Lot 5 of the Replat of Lots 9 and 10, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 8100 Block of South Cisne Street. COZ#150317
5. Jose De Hoyos Jr., requested a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). The property is legally described as Lot 6 of the Replat of Lots 9 and 10, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 8100 Block of South Cisne Street. COZ#150318

6. Jose De Hoyos Jr., requested a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). The property is legally described as Lot 7 of the Replat of Lots 9 and 10, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 8100 Block of South Cisne Street. COZ#150319
7. Jose De Hoyos Jr., requested a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). The property is legally described as Lot 8 of the Replat of Lots 9 and 10, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 8100 Block of South Cisne Street. COZ#150320
8. Diane E. Borchardt, representing SBA 2012 TC Assets, LLC, requested a Life-of-the-Use Conditional Use Permit to allow an existing telecommunication tower in General Business District (C). The property is legally described as John Maken's Subdivision Block 6, Lot 6, Pharr, Hidalgo County, Texas. The property is physically located at 500 North Jackson Road. CUP#150321
9. Adoralia Reveles, d/b/a El Rincon Del Taco, requested 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 Lot 2, Cantu-Guerra No. 2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 405 North Veterans Boulevard. CUP#150323

PLATS:

10. R. Gutierrez Engineering Corp., representing Iliana Villafranco, requested final plat approval of the proposed Villafranco Subdivision. The property is legally described as being a 0.613 acre tract of land out of Lot 4, Block 145, L.R. Bell Development "E", Pharr, Hidalgo County, Texas. The property is located within the 1900 Block of North Veterans Boulevard. (I RD.)

Fred Sandoval, City Manager, introduced items 3A through 3B (10).

Comm. Carrillo moved to approve items 3A through 3B(10) under the consent agenda. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

Ordinance Nos. O-2015-15, O-2015-16, O-2015-17, O-2015-18, O-2015-19, O-2015-20 and O-2015-21 are 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 recommended that the item be tabled.

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

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE APPOINTING A PRESIDING JUDGE FOR PRECINCTS 61, 116, AND 240 (PHARR HOUSING AUTHORITY) FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON SATURDAY, MAY 9, 2015

Fred Sandoval, City Manager, introduced the item.

Hilda Pedraza, City Clerk, stated an appointment was needed for a Presiding Judge for precincts 61, 116 and 240 for the polling location at the Pharr Housing Authority. She stated she had contacted Gloria Rodriguez from precinct 116 who had expressed her willingness to serve.

Comm. Farias moved to appoint Gloria Rodriguez as the Presiding Judge for precincts 61, 116 and 240. Comm. Garza seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2015-22 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NOS. O-2013-42 AND O-2011-12 SECTION 18 OF THE CODE OF ORDINANCES; ADOPTING PROVISIONS RELATED TO PHARR ANIMAL SHELTER

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

Comm. Garza moved to approve. Comm. Cortez seconded the motion.

Mayor Palacios asked what changes were being done. Fred Sandoval, City Manager, stated some of the changes were concerning larger animals such as those brought in by circuses. Roy Garcia, Director of Public Works, stated an animal permit application had been adopted for anyone owning livestock on property consisting of an acre or more and for the wild animals for circuses, etc.

The motion was put to a vote, it carried unanimously.

Ordinance No. O-2015-23 is filed with the City Clerk's Office.

D) 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 recommended this item remain tabled.

E) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE SETTING GUIDELINES AND FRAMEWORK FOR NEIGHBORHOOD EMPOWERMENT ZONE/ BUSINESS IMPROVEMENT DISTRICT #2

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

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

Ordinance No. O-2015-24 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPROVING HIDALGO COUNTY METROPOLITAN PLANNING ORGANIZATION, TRANSPORTATION POLICY COMMITTEE'S REQUEST THAT THE GOVERNOR OF THE STATE OF TEXAS RE-DESIGNATE THE HIDALGO COUNTY MPO AS THE TRANSPORTATION POLICY COMMITTEE OF THE MPO

Fred Sandoval, City Manager, introduced the item and stated this was being recommended by Hidalgo County Metropolitan Planning Organization (MPO) and recommended approval.

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

Resolution No. R-2015-23 is filed with the City Clerk's Office.

G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION CANCELLING/RE-SCHEDULING THE CITY COMMISSION REGULAR MEETING OF MAY 5, 2015

Fred Sandoval, City Manager, introduced the item and stated the next regular scheduled meeting was scheduled for Tuesday, May 5, 2015 which was the last day of early voting. He stated due to the elections he recommended the meeting be re-scheduled.

Comm. Carrillo asked what day would the canvassing of the election candidates take place and if the meeting could be held after the canvassing. Hilda Pedraza, City Clerk, explained the scheduling of the canvass would depend on the number of provisional ballots received since they needed to be sent to the County for qualification and then returned back to the city.

Comm. Carrillo moved to re-schedule the meeting to Tuesday, May 12, 2015 at 5:00 p.m. Comm. Elizondo seconded the motion and when put to a vote, it carried by a majority vote of six (6) ayes to one (1) nay. Mayor Palacios voted against the motion.

Resolution No. R-2015-24 is filed with the City Clerk's Office.

H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION OF SUPPORT FOR HIDALGO COUNTY PRECINCT 2 REGIONAL HIKE AND BIKE TRAIL PROJECT

Fred Sandoval, City Manager, introduced the item and stated this was an on-going project with Precinct 2 Hidalgo County and recommended approval.

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

Resolution No. R-2015-25 is filed with the City Clerk's Office.

ITEM 5 ADMINISTRATIVE:

A) CONSIDERATION AND ACTION, IF ANY, AWARDED BID FOR USED TIRES AND RUBBER SCRAP REMOVAL AND DISPOSAL/RECYCLING SERVICES

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON PURCHASE OF REAL PROPERTY FOR SOUTH TEXAS COLLEGE AND REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE

Fred Sandoval, City Manager, introduced the item and stated this item would be discussed in closed session.

ITEM 6 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON AGREEMENT BETWEEN THE CITY OF PHARR AND BOND AND BOND AUCTIONEERS & REALTY FOR AN AUCTION OF CITY SURPLUS PROPERTY

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

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

B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACT WITH ALDANA ENGINEERING FOR DESIGN TRAFFIC SIGNAL AT ELDORA ROAD AND SUGAR ROAD

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

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

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

ITEM 7 CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEMS 3 – 6

Mayor Palacios stated the time being 12:20 pm; the Board of Commissioners would be entering a closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

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

Mayor Palacios stated the time being 12:32 pm; the board had completed its closed session and would be resuming the open meeting.

Kenneth Fletcher raised a point of order and asked that he be recognized to speak as he had signed up for the public hearing portion of the meeting. Mayor Palacios allowed Mr. Fletcher to speak.

Kenneth Fletcher congratulated Mayor Palacios for his years of service. He voiced his concerns with problems arising with Costco and stated he welcomed new business and asked that the residences be buffered from the noise created by the businesses. He suggested that with the communication towers in Las Milpas that short range free television be added since the cable companies have been experiencing sound problems.

Lupe Chavez asked for his recognition to speak and thanked Mayor Palacios for his years of service. He voiced his concerns with the dangerous bridge crossing at Jones Box Park. He stated he had approached Community Development Department and Parks and Recreation Department several years ago about children crossing a very steep drainage ditch to get to the park. He asked that the City's Engineering Department and City Manager's Office take this matter under urgent review and build a pedestrian crossing bridge.

ITEM 5 B) CONSIDERATION AND ACTION, IF ANY, ON PURCHASE OF REAL PROPERTY FOR SOUTH TEXAS COLLEGE AND REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE

Fred Sandoval, City Manager, re-introduced the item and stated this was an on-going project. He further stated no action was needed at this time.

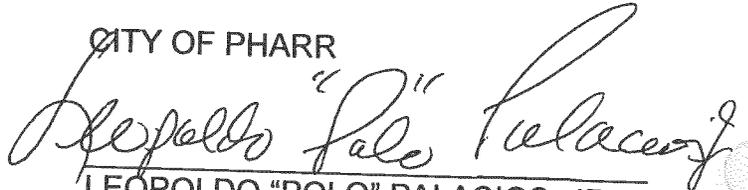
C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENT WITH GISIS FOR GENERAL CONSULTING SERVICES

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

ITEM 9 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 12:39 p.m.

CITY OF PHARR



LEOPOLDO "POLO" PALACIOS, JR.
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 21ST DAY OF APRIL, 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, 2nd Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:



HILDA PEDRAZA, CITY CLERK

APPROVED: June 2, 2015