

**MINUTES  
BOARD OF COMMISSIONERS  
REGULAR CALLED MEETING  
TUESDAY, NOVEMBER 17, 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, November 17, 2015 and following is the record of attendance.

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

**BOARD OF COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Juan G. Guerra, City Manager  
Edward Wylie, Asst. City Manager  
Hilda Pedraza, City Clerk  
Imelda Barrera, Asst. City Clerk  
William Ueckert, City Engineer  
Gary Rodriguez, Community Affairs Liaison  
Karla Moya, Finance Director  
Anali Cantu, Human Resources Director  
Rodolfo Martinez, Municipal Judge  
Ruben Villescas, Police Chief  
Melanie Cano, Development Services Dir.  
Roy Garcia, Public Works Director  
David Garza, Public Utilities Director  
Adolfo Garcia, Library Director  
Roel Garza, PAL/Parks & Rec. Director  
Raul Garza, CDBG Director  
Jason Arms, IT Director  
Roy S. Garcia, Boggus Ford Events Center  
Luis Bazan, Bridge Director  
Sergio Contreras, Interim PEDC Director

**CITY ATTORNEY** Patricia Rigney, City Attorney

**ITEM 1 CALL TO ORDER:**

Mayor Hernandez called the meeting to order at 5:00 p.m. Roll Call established a quorum.

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

All present.

**B) PLEDGE OF ALLEGIANCE / INVOCATION**

Juan Guerra, City Manager, led in the pledge of allegiance and Pastor Magallan said the prayer.

**C) PUBLIC COMMENTS. (ORDINANCE NO. O-2015-28)**

Roberto Leal approached the Board and expressed his gratitude for the opportunity given to him to work with City of Pharr for the last 14 years. He mentioned

next year a Mayors Summit will take place with more than 160 cities and presented the Life Time book of former Mayor Leopoldo Palacios to the Mayor and Commissioners.

## **ITEM 2 PROCLAMATIONS:**

### **A) PRESENTATION OF PROCLAMATION PROCLAIMING IRMA'S SWEETE SHOPPE DAY**

Mayor Hernandez read Proclamation proclaiming November 14, 2015 as Irma's Sweete Shoppe Day and presented proclamation to Irma Elizondo. Mayor Hernandez then presented the state flag to Ms. Elizondo on behalf of Congressman Ruben Hinojosa for her 30 year anniversary. Irma Elizondo thanked the Board for the recognition.

### **B) PRESENTATION OF PROCLAMATION PROCLAIMING GREAT AMERICAN SMOKE-OUT DAY**

Mayor Hernandez read Proclamation proclaiming November 19, 2015 as Great American Smoke-out Day and presented proclamation to Nikki McCarthy from Unidad Tobacco Prevention. Ms. McCarthy thanked the board for the recognition and spoke about tobacco prevention programs.

At this time, Mayor Hernandez, deviated from the agenda and informed the public a major concern had arisen questioning Comm. Bracamontes qualifications to hold office. The City Commission had done its due diligence and submitted the issue brought forward by a citizen to the Secretary of State, the Attorney General's Office, and the District Attorney's office. After all data provided by outside participants and materials were reviewed by the District Attorney's office, it was determined that Commissioner Bracamontes was a legit resident of Pharr when he ran for office. Therefore investigation has been closed.

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

- A) City Engineer's Report**
- B) Submission of monthly report – Pharr Municipal Court**
- C) Submission of November 2015 Sales Tax Report**
- D) Submission of October 2015 Tax Collection Report**
- E) Submission of Comprehensive Quarterly Report ending Sept. 30, 2015**
- F) Presentation by Linebarger Goggan Blair & Sampson on Delinquent Tax Report for Fiscal Year 2014-2015**
- G) Presentation of Letter of Commendation to Fire Department Employees**
- H) City Events of Interest**

Juan Guerra, City Manager, introduced the City Engineer's report and stated the City Engineer was available for any questions. Mr. Guerra briefly reported Hi line Road improvements will start from December 1<sup>st</sup> through the end of March 2016. He stated staff was working with Hidalgo County MPO for expansion to a 5-lane road.

Juan Guerra, City Manager, introduced the monthly report for Municipal Court and stated Municipal Court Judge was available for any questions. Mr. Guerra stated collections were up this month as compared to last year.

There being no further questions, Juan Guerra, City Manager, introduced the submission of November 2015 sales tax report and stated sales tax was up by 7.4%.

Juan Guerra, City Manager, introduced tax collection report and stated both current and delinquent taxes were down for the month of October.

Juan Guerra, City Manager, introduced the comprehensive quarterly report and stated numbers were end of fiscal year numbers therefore they were unaudited and subject to change. No major items to report.

Juan Guerra, City Manager, introduced the delinquent tax report and called upon Michael Cano, Linebarger Goggan Blair & Sampson to present the report.

Michael Cano, Linebarger Goggan Blair & Sampson, reported the delinquent tax collection program for the City of Pharr continues to emphasize two basic components, work with individual taxpayers to collect taxes owed to City of Pharr and use the tool of litigation as a final option. He stated 214 lawsuits/interventions were filed and 441 pending litigations cases seeking collections of \$704,731. Mr. Cano also reported on their tax resale program for struck-off properties. He stated four (4) tax sales were conducted placing thirty four (34) properties for sale.

Michael Cano, Linebarger Goggan Blair & Sampson, went over the collection highlights stating their firm collected \$943,948 on behalf of the City of Pharr and collections were up by \$1,000 as compared to last year. He further stated the adjusted delinquent tax roll balance for FY13-14 was \$2,371,626 and \$2,363,395 for FY14-15 which represents the amount of outstanding delinquent tax. Mr. Cano stated they will continue to work closely with the City to provide assistance and advice on all property tax matters.

Juan Guerra, City Manager, read letter of commendation and recognized Deputy Chief Eloy Salazar, Lieutenant Octavio Hernandez, Lieutenant Pete Bustamante, and firefighter Jacob Moran for an outstanding job at an incident on April 24, 2015 while traveling to College Station, Texas to attend a training. The group of firefighters came upon a major traffic accident and rendered quick aid since no emergency service personnel were yet present at the scene. Mr. Guerra thanked them on behalf of the City Commission for going above and beyond and demonstrating the high quality of firefighters the City of Pharr has.

Juan Guerra, City Manager, introduced the City events of interest and reported on the Volleyball closing ceremonies would be held on Wednesday, November 18, 2015 at 6:30 pm at Kennedy Middle School and Flag Football ceremonies would be held on Thursday, November 19, 2015 at 6:30 at Kennedy Middle School.

Mr. Guerra further reported the Fire Department turkey giveaway would be held on Thanksgiving Day from 10:30 am to 1:00 pm at Fire Station #2 located at 120 West Cherokee and a ribbon cutting event for Dr. William Long City/School Park would take place on Wednesday, November 18, 2015 at 3:00 pm.

Mr. Guerra reported on upcoming events at the Boggus Ford Events Center and also reported Coffee with Santa event was scheduled for December 14, 2015 in front of City Hall from 5pm to 8pm. Officer Danny Garcia introduced Blue Santa and invited everyone to attend the toy drive giveaway event on December 22, 2015 at the Boggus Ford Events Center. He stated the Pharr Police staff will distribute Christmas toys to children and this year all city departments will join together in an effort of collecting and promoting the donations of Christmas gifts.

Juan Guerra, City Manager, announced the Operation Clean Sweep event would be held on November 21, 2015 focusing on the area of West Polk to West Sam Houston. Volunteers will gather at Fire Station #2 at 8:00 am.

Juan Guerra, City Manager, reported on the Library cemetery project. He stated interest grew out of the community's need for a more structured and reliable way of locating their deceased loved ones at the cemetery. Library staff along with GIS and Engineering departments came up with the idea of GPSing all cemetery plots with handheld GPS devices. Information on 1500 plots and 2230 deceased was gathered and placed onto an online searchable database created by Sam Tooley and GIS.

**ITEM 4 CONSENT AGENDA:** *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

- A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2014-52, FOR THE DEPARTMENT OF DEVELOPMENT SERVICES FEE SCHEDULE (DEVELOPMENT SERVICES) – 2<sup>ND</sup> READING
- B) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR NAVARRO STREET IMPROVEMENTS PROJECT (ENGINEERING)
- C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR WEEDY LOT CONTRACTOR(S) (DEVELOPMENT SERVICES)
- D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR LIFT STATION #25 AND FORCE MAIN PROJECT (PUBLIC UTILITIES)
- E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR PROPOSALS FOR CLASSIFICATION AND COMPENSATION STUDY (HR)
- F) CONSIDERATION AND ACTION, IF ANY, ON STREET CLOSURE OF NEWCOMBE AVENUE FROM ASTER STREET TO CAGE BLVD AND CAGE BLVD. TO ATHOL STREET FOR PHARR CHRISTMAS POSADA ON FRIDAY, DECEMBER 4, 2015 FROM 6:00PM TO 10:00PM. (PUBLIC WORKS)
- G) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM THE ROTARY CLUB OF PHARR FOR USE OF THE BOGGUS FORD EVENTS CENTER ON MONDAY, NOVEMBER 30, 2015 AND TUESDAY, DECEMBER 1, 2015 FOR THEIR ANNUAL SPECIAL NEEDS CHRISTMAS PARTY (EVENTS CENTER)
- H) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM ST. JUDE THADDEUS CHURCH FOR USE OF WHITTEN PARK ON SUNDAY, NOVEMBER 22, 2015 FROM 4:00PM TO 8:00PM. (COMM. MALDONADO)
- I) DISCUSSION AND ACTION, IF ANY, ON CONFIRMATION ON APPOINTMENT OF FIRE CHIEF (ADMINISTRATION)
- J) CONSIDERATION AND ACTION ON PLANNING & ZONING CASES:  
PUBLIC HEARINGS:
  - 1. Jorge G. Moreno d/b/a Moro Construction L.L.C. rep. Christopher M. & Eunice C. Meehan, requested a Life-of-the-Use Conditional Use Permit to allow an Accessory Use Structure (Guest House) in a Single-Family Residential District (R-1). The property is legally described as Lot 2, Los Laureles Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1802 South Angelina Marie Drive. CUP#151064

Juan Guerra, City Manager, opened the public hearing and stated no one signed-up therefore public hearing was closed. He further recommended approval on items 4A thru 4J(1) under the consent agenda.

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

**REGULAR AGENDA – OPEN SESSION:**

**ITEM 5 ORDINANCES AND RESOLUTIONS:**

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

Juan Guerra, City Manager, introduced the item and recommended the item be untabled.

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

Juan Guerra, City Manager, briefly stated the official map has been received and recommended approval.

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

Ordinance No. O-2015-52 is filed with the City Clerk's office.

**B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2005-50, WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN (PUBLIC UTILITIES)**

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

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

Ordinance No. O-2015-53 is filed with the City Clerk's office.

**C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION SUBMITTING ENTITLEMENT VOTES FOR CANDIDATE(S) TO THE APPRAISAL DISTRICT BOARD OF DIRECTORS 2016-2017 (ADMINISTRATION) (TABLED)**

Juan Guerra, City Manager, introduced the item.

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

Comm. Carrillo moved to submit all entitlement votes to Albert Cardenas. Comm. Elizondo seconded the motion and when put to a vote, the motion failed by a vote of four (4) nays and three (3) ayes. Comm. Guajardo, Comm. Maldonado, Comm. Bracamontes, and Comm. Medina voted against the motion.

Comm. Guajardo moved to submit 1/3 of entitlement votes to Albert Cardenas, Aquiles Garza, and Pete Garcia. Comm. Maldonado seconded the motion and when put to a vote, the motion carried by a majority vote of (4) ayes and three (3) nays. Mayor Hernandez, Comm. Carrillo, and Comm. Elizondo voted against the motion.

Resolution No. R-2015-103 is filed with the City Clerk's office.

**D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION ENTERING INTO AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF SOUTH U.S. 281 (CAGE BLVD.) FROM BUSINESS 83 TO KELLY AVENUE FOR PHARR CHRISTMAS POSADA ON FRIDAY, DECEMBER 4, 2015 FROM 6:00 PM – 10:00 PM. (PUBLIC WORKS)**

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

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

Resolution No. R-2015-97 is filed with the City Clerk's Office.

**E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE TEXAS OFFICE OF THE GOVERNOR CRIMINAL JUSTICE FOR THE PHARR BODY WORN CAMERA PROJECT (POLICE)**

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

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

Resolution No. R-2015-98 is filed with the City Clerk's Office.

**F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) REGULAR MEMBER TO THE PLANNING AND ZONING COMMISSION (DEVELOPMENT SERVICES)**

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

Comm. Elizondo moved to appoint Rafael Munguia to the Planning and Zoning Commission. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-99 is filed with the City Clerk's Office.

**G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) MEMBER TO THE PHARR ECONOMIC DEVELOPMENT CORPORATION II BOARD OF DIRECTORS (PEDC)**

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

Comm. Carrillo moved to appoint Mario Lizcano to the Pharr Economic Development Corporation II Board of Directors. Mayor Hernandez seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2015-100 is filed with the City Clerk's Office.

**H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION CREATING UTILITY HARDSHIP PROGRAM (GRANTS)**

Juan Guerra, 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.

Resolution No. R-2015-101 is filed with the City Clerk's Office.

**I) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION CREATING UTILITY RELIEF PLAN (FINANCE)**

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

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

Resolution No. R-2015-102 is filed with the City Clerk's Office.

**ITEM 6 ADMINISTRATIVE:**

**A) CONSIDERATION AND ACTION, IF ANY, ON PROPOSAL FROM TXDOT FOR RIGHT-OF-WAY ON THE PURCHASE OF 3,183 SQ. FT. FROM THE CITY OF PHARR (ADMINISTRATION)**

Juan Guerra, 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.

**B) CONSIDERATION AND ACTION, IF ANY, AWARDED PROPOSAL FOR NON-INVASIVE EMPLOYEE HEALTH SCREENINGS (HR)**

Juan Guerra, City Manager, introduced the item and recommended Welltech Services.

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

**ITEM 7 PURCHASING:**

**A) CONSIDERATION AND ACTION, IF ANY, ON PROPOSAL FROM INSITUFORM THROUGH BUYBOARD FOR MH REHABILITATION AND CIPP POINT REPAIRS ON 15" PVC MAIN FOR TOTAL COST OF \$188,000 (PUBLIC UTILITIES)**

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

Comm. Carrillo moved to approve. Comm. Guajardo seconded the motion and when put to a vote, the motion carried by a majority vote of six (6) ayes and one (1) nay. Comm. Medina voted against the motion.

**ITEM 8 CONTRACTS/AGREEMENTS:**

**A) CONSIDERATION AND ACTION, IF ANY, ON CONTRACT BETWEEN BOOKEM NANO AND CITY OF PHARR ON ENTERTAINMENT GROUP FOR PHARR CHRISTMAS POSADA ON FRIDAY, DECEMBER 4, 2015 (EVENTS CENTER)**

Juan Guerra, City Manager, introduced the item and recommended approval of contract with Ram Herrera.

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, ON AGREEMENT BETWEEN LASER SPECTACLES, INC. AND CITY OF PHARR FOR LASER SHOW AT PHARR CHRISTMAS POSADA ON FRIDAY, DECEMBER 4, 2015. (EVENTS CENTER)**

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

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

**C) CONSIDERATION AND ACTION, IF ANY, ON INTERLOCAL AGREEMENT AMENDMENT NO. 1 FOR THE 5310 PROJECT LRGVDC (SIDEWALK IMPROVEMENTS ON RIDGE RD. – JACKSON TO CAGE). (ENGINEERING)**

Juan Guerra, 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.

**D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE CONTRACT AMENDMENT WITH R. GUTIERREZ ENGINEERING FOR NAVARRO STREET IMPROVEMENT PROJECT. (ENGINEERING)**

Juan Guerra, City Manager, introduced the item and briefly stated the amendment was for \$7,000 for additional work related to sanitary sewer improvements. He further recommended approval

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

**E) CONSIDERATION AND ACTION, IF ANY, ON COMPREHENSIVE ECONOMIC STIMULUS AGREEMENT WITH CLARK KNAPP HONDA, INC. (ADMINISTRATION)**

Juan Guerra, 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.

**ITEM 9 LEGAL:**

**A) CONSIDERATION AND ACTION, IF ANY, ON CAUSE NO. CL-11-2550-G, RAUL CUEVAS GARCIA AND RAUL GARCIA VS. CITY OF PHARR. (ADMINISTRATION)**

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

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

**ITEM 10 CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEMS 3 - 8**

None.

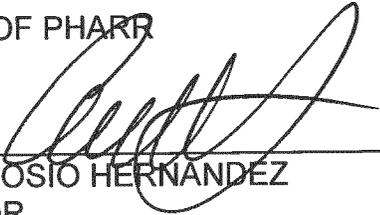
**ITEM 10 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN CLOSED SESSION**

None.

**ITEM 12 ADJOURNMENT**

There being no other business to come before the board, Comm. Carrillo moved to adjourn. Mayor Hernandez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 5:44 p.m.

CITY OF PHARR

  
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AMBROSIO HERNANDEZ  
MAYOR

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

**ON THIS THE 17<sup>th</sup> DAY OF NOVEMBER, 2015** the Board of Commissioners of the City of Pharr, Texas convened in a **REGULAR CALLED MEETING** at the Commissioner's Room located at 118 S. Cage, 2<sup>nd</sup> Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:

  
HILDA PEDRAZA, CITY CLERK

APPROVED: December 14, 2015