

**MINUTES  
BOARD OF COMMISSIONERS  
REGULAR CALLED MEETING  
TUESDAY, AUGUST 5, 2014 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, August 5, 2014 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.  
Sonia H. Padron, Asst. 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  
Edward Wylie, Pharr Dev. Services Dir.  
Adolfo Garcia, Library Director  
Raul Garza, Admin. Services Director  
Gary Rodriguez, Public Info. Officer  
Jason Arms, I.T. Director  
Roel Garza, Athletics Director  
Roy S. Garcia, Pharr Events Center  
Tony Sandoval, EDC Asst. Director

**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 5:20 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.**

Hollis Rutledge led in the pledge of allegiance and Police Chief Ruben Villescas said the prayer.

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

- A) City Engineer's Report – Bill Ueckert
- B) City Events of Interest
- C) Legislative/Project Update
- D) Submission of Comprehensive Quarterly Report ending June 30, 2014
- E) GFOA Distinguished Budget Presentation Award

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 for a status report on all projects.

Bill Ueckert, City Engineer, went over the status of all projects stating the Bicycle Accessible Improvement Project (Hike and Bike Trail) was in the design stage; the Owassa Road Project was in the Environmental Phase and needing approval of the environmental sometime in September to go out for purchasing of right-of-way. He reported 100% of the plans for the International Trade Center at the bridge had been submitted and would be reviewed this month to go out for bids. He stated bids were opened on July 30, 2014 for the Pharr South Sidewalk Improvement Project from Juan Balli Road to Thomas Road on both sides of Cage Boulevard and the contract will be on the next agenda for approval. He reported the contractor for the Northside Park (Special Needs Project) was currently working on the restroom facilities and the walking sidewalks had been completed. The next phase was to construct the parking area to be completed sometime in September. He added the contractor for the Moore Road Driveway Project at the Police Department was currently installing curb and gutter and should complete the project in three (3) to four (4) weeks.

Comm. Elizondo asked if the school district had plans to construct something at the North Side Park vacant area.

David Garza, Assistant City Manager, stated it originally was scheduled to be used as a golf range but it was changed to another school.

Comm. Elizondo asked if the vacant land next to the park could be used for expansion since the park was no longer going to be used as a golf range by the school.

Comm. Carrillo asked if the park could be made as a longer walking or running tract and if awnings with benches could be installed for citizens to use while enjoying the park.

David Garza Assistant City Manager, stated he would meet with the school district to see if the land was not going to be used and informed the Board that when a park is also owned by the school district, it needed to be fenced and limitations are placed as opposed to when it is solely owned by the city.

Comm. Garza asked for an update on the green areas next to City Hall. Edward Wylie, Development Services Director, reported the land was being surveyed at this time then it would go to design with the possibility of completion before the end of the year.

Comm. Carrillo asked for an update on the AT&T phone line at the Produce Park. Bill Ueckert, City Engineer, reported Magic Valley had completed the installation of the electrical lines. He stated the concrete entrance had not been done but the pedestal had already been relocated that the contractor had been instructed to complete the entrance.

Fred Sandoval, City Manager, called upon Roberto Leal to report on the Sister City Celebration in San Luis Potosi.

Roberto Leal, Pharr International Liaison, reported on the 2<sup>nd</sup> Annual International Sister City Festival to be held on September 4-7, 2014 in San Luis Potosi and extended an invitation to the Board to attend.

Fred Sandoval, City Manager, called upon Rogelio Garcia for an update on the Toby Keith Concert.

Rogelio Garcia, Pharr Events Center, reported 3,400 tickets had been sold to date and tickets were being marketed through K-TEX Radio, social media, posters and signs. He stated Toby Keith had done a call in through social media letting everyone know he would be coming to the City of Pharr. He added he was having weekly meetings with the City Manager and the Department Heads on the layout of the event and would be creating an itinerary which would be e-mailed to them.

Comm. Carrillo requested signs be placed at the Main Event location as an increase of traffic was expected.

Mayor Palacios stated he had received a call from the manager of Lowe's in regard to parking concerns for their customers due to the concert. He stated the manager had requested to meet with the City Manager.

Fred Sandoval, City Manager, reported there had been a lot less area for parking at the Hub Phestival due to many venues taking up area space for the cook-off and carnival. He stated the city would be doing its best to protect the surrounding businesses and the city would be in contact with all the business owners.

Comm. Cortez asked if it was possible to contact Mr. Larry Levine for the possibility of using El Centro Mall's parking lot for added parking and have the city's trollies to bus people to and from the concert.

Rogelio Garcia, Pharr Events Center, stated an area would be designated for refreshments and food booths at the site. He added the promoter was helping the non-profit organizations in the City by donating half of the fee paid for the spot to the Boys and Girls Club and donating 100% of the monies from the sale of the cokes and waters to the Pharr Athletic League (PAL). He further announced Dwight Yokum would be performing this Sunday, August 10, 2014 at the Pharr Events Center and invited everyone to attend.

Fred Sandoval, City Manager, announced the Main Event had their Ribbon Cutting/Grand Opening today and would be opened to the public tomorrow.

Mayor Palacios extended an invitation to the public to visit the new Main Event business.

Comm. Elizondo asked legal if discussion could be taken on personnel from the bridge at this time, in closed session or if a special called meeting was required.

Michael Pruneda, City Attorney, stated discussion on personnel needed to be done at a Special Called Meeting.

Fred Sandoval, City Manager, stated the submission of the Comprehensive Quarterly Report ending June 30, 2014 was in their packets and questions could be entertained. He also announced the city had received the GFOA Budget Award for the sixth (6<sup>th</sup>) year in a row and congratulated Juan Guerra and his staff.

Comm. Elizondo asked how the city could get the baseball parks started. Fred Sandoval, City Manager, stated he had a meeting scheduled on Thursday with the architect to discuss the status of the specs for the baseball fields and the tennis complex and how soon the city could go out for bids and match with the available funds.

Comm. Maldonado asked about the satellite library office. Fred Sandoval, City Manager, stated he had been working with the Library Director to come up with figures and comparables from other cities and were waiting for the information to come in. He further stated once the information was received they would be matched with sources and uses and bring it before them for a formal presentation. He further stated he also had offers from Dr. King to open up some satellite offices in some of the schools.

**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 JULY 1, 2014 – REGULAR CALLED MEETING**

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

**PUBLIC HEARING**

1. Alfonso M. Blanco, d/b/a Mangos Restaurant & Sports Bar, 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 the W110'-E430'-S170', Lot 151, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 700 West Ferguson Street.
2. Fermin Leija Jr, requested a change of zone from Single-Family Residential District (R-1) to Neighborhood Commercial District (N-C). The property is legally described as Lot 5, Block 1, Palo Verde Subdivision Unit #1, Pharr, Hidalgo County, Texas. The property's physical address is 209 West Dicker Road. (Address correction)

Fred Sandoval, City Manager, introduced items 3A through 3B(2).

Mayor Palacios opened the public hearing.

Kenneth Fletcher stated he was pro-business in favor of item 3B(2) and requested that the proper screen barriers and ordinances be enforced.

There being no other public comments, Mayor Palacios closed the public hearing.

Comm. Carrillo moved to approve items 3A through 3B(2) under the consent agenda. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2014-34 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-2014-22 DEFINING THE AREA AND PROHIBITING THE OPERATION OF ANY DEVICE, MACHINE, APPARATUS OR INSTRUMENT TO INTENSIFY OR AMPLIFY OR REPRODUCE THE HUMAN VOICE OR OTHER SOUND ON ANY PUBLIC STREET OR IN ANY BUILDING WHEREBY THE SOUND THEREFORE IS CAST DIRECTLY UPON THE PUBLIC STREETS IN THE CITY OF PHARR, TO PRESERVE THE QUIET AND GOOD ORDER OF THE CITY, AND TO PREVENT THE DISTURBANCE OF PERSONS OWNING, USING OR OCCUPYING PROPERTY ADJACENT TO OR NEARBY THE PUBLIC STREETS, AND PROVIDING A PENALTY FOR VIOLATION THEREOF; DEFINITIONS; PROHIBITED ACTS; METHOD OF SOUND MEASUREMENT; ENFORCEMENT; EXCEPTIONS; PENALTIES; REPEALER; SEVERABILITY; PUBLICATION AND EFFECTIVE DATE; PROPER NOTICE AND MEETING**

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 the third and final reading of the ordinance. Comm. Farias seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2014-35 is filed with the City Clerk's Office.

**B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING CHAPTER 86 "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF PHARR, TEXAS BY ADDING ARTICLE VII "ILLEGAL SYNTHETIC CONTROLLED SUBSTANCES AND RELATED PARAPHERNALIA"**

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

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

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

**ITEM 5 A) PRESENTATION ON PROPOSAL OF A 2% HOTEL OCCUPANCY TAX**

Fred Sandoval, City Manager, introduced the item.

David Garza, Assistant City Manager, explained the proposed 2% tax increase would be used for a baseball complex and tennis complex. He addressed Comm. Elizondo's question as to how soon construction of the complexes could commence. He stated this was a very important factor to allow the city to move forward on the projects and completing them. He further stated he would show the public what the city was planning on doing and why their support was needed. He then presented a power point presentation on the 2% Hotel Tax.

Comm. Cortez asked if the school district would share any of the \$8.5 million cost. David Garza, Assistant City Manager, stated the school district had been approached but has not received any type of approval. He stated to be able to charge the 2% Hotel Tax an election must be held. He stated the ordinance to call the election must be passed on or before August 18, 2014 for the November 4, 2014 election. He explained the ballot would reflect two (2) separate propositions, one (1) for the baseball complex and one (1) for the tennis complex and the propositions must pass before construction of the complexes can commence. He further asked the Board to approve the ordinance to call the election.

Mayor Palacios explained the proposed taxes would not come from the citizens but by those using the hotels and motels and asked everyone to come out to vote on November 4, 2014 in favor of the two propositions.

At this time Fred Sandoval, City Manager, stated they would go back to the regular agenda and discuss item 4(c). There was no objection.

**C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 4, 2014 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY CERTAIN PROPOSITIONS AUTHORIZING THE CITY TO COLLECT AN ADDITIONAL HOTEL OCCUPANCY TAX TO BE USED FOR TENNIS COMPLEX AND BASEBALL/SOFTBALL COMPLEX AND RELATED INFRASTRUCTURE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT. *ORDENANZA DE LA CIUDAD DE PHARR, TEXAS, DECRETANDO UNA ELECCIÓN ESPECIAL EL DÍA 4 DE NOVIEMBRE DE 2014, CON EL PROPÓSITO DE SOMETER A LOS ELECTORES DE LA CIUDAD CIERTAS PROPOSICIONES QUE AUTORIZAN A LA CIUDAD COBRAR IMPUESTOS ADICIONALES EN LA OCUPACIÓN HOTELERA PARA SER UTILIZADOS EN***

**COMPLEJOS DE TENIS Y BÉISBOL/SOFTBOL E  
INFRAESTRUCTURA RELACIONADA; ASÍ COMO TAMBIÉN OTRAS  
DISPOSICIONES ASOCIADAS CON EL TEMA**

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.

Ordinance No. O-2014-36 and O-2014-36A are filed with the City Clerk's Office.

**D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION  
APPOINTING A BOARD REPRESENTATIVE AND AN ALTERNATE  
MEMBER TO THE AMIGOS DEL VALLE BOARD FOR FISCAL YEAR  
2014-2015**

Fred Sandoval, City Manager, introduced the item.

Comm. Cortez moved to appoint Comm. Edmund Maldonado as Board Representative to the Amigos Del Valle Board. Comm Garza seconded the motion and when put to a vote, it carried unanimously.

Comm. Carrillo moved to re-appoint Comm. Arturo Cortez as Alternate Member to the Amigos Del Valle Board. Comm. Elizondo seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2014-49 is filed with the City Clerk's Office.

**E) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION  
AUTHORIZING FOR POLICING AGREEMENT BETWEEN THE CITY OF  
PHARR AND VALLEY VIEW ISD TO CONTINUE SCHOOL RESOURCE  
OFFICER PROGRAM FOR 2014-2015 SCHOOL YEAR**

Fred Sandoval, City Manager, introduced the item and stated this was an on-going agreement and recommended approval.

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

Resolution No. R-2014-50 is filed with the City Clerk's Office.

**F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION  
AUTHORIZING FOR POLICING AGREEMENT BETWEEN THE CITY OF  
PHARR AND P-SJ-A ISD TO CONTINUE SCHOOL RESOURCE  
OFFICER PROGRAM FOR 2014-2015 SCHOOL YEAR**

Fred Sandoval, City Manager, introduced the item and stated this was an on-going agreement and recommended approval.

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

Resolution No. R-2014-51 is filed with the City Clerk's Office.

**G) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION  
AUTHORIZING FOR K-9 POLICING AGREEMENT BETWEEN THE  
CITY OF PHARR AND P-SJ-A ISD TO CONTINUE THE K-9 POLICING  
PROGRAM FOR 2014-2015 SCHOOL YEAR**

Fred Sandoval, City Manager, introduced the item and stated this was an on-going agreement and recommended approval.

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

Resolution No. R-2014-52 is filed with the City Clerk's Office.

**H) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING THE PHARR POLICE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE TEXAS JOINT COUNTERDRUG TASK FORCE FOR SUPPORT OF COUNTERDRUG OPERATIONS**

Fred Sandoval, City Manager, introduced the item and briefly stated this Memorandum of Understanding was in support of National Guard Troops.

Ruben Villescas, Police Chief, explained this was an agreement with the Texas Military Force to allow a maximum of three (3) National Guardsmen for assistance with the monitoring cameras already in place. He stated the cameras to be monitored were located at the International Bridge and on the skywatch towers.

Comm. Farias asked if the city was to provide the equipment or vehicles needed to the National Guardsmen. Ruben Villescas, Police Chief, stated the National Guardsmen would bring their own equipment and vehicles and the duration of the agreement was for one (1) month. He added they would not be law enforcement but would be there to support for counterdrug.

Mayor Palacios stated since this Memorandum of Understanding was for only one (1) month, he would rather have the funds be used for an increase in teacher's pay or to construct the second pass at the bridge.

There being no further discussion, Comm. Carrillo moved to approve. Comm. Garza seconded the motion and when put to a vote, it carried by a majority of six (6) ayes to one (1) nay. Mayor Palacios voted against the motion.

Resolution No. R-2014-53 is filed with the City Clerk's Office.

**ITEM 5 ADMINISTRATIVE:**

**B) CONSIDERATION AND ACTION, IF ANY, ON CONTRIBUTION IN THE AMOUNT OF \$16,602.33 TO RIO GRANDE REGIONAL WATER AUTHORITY FOR A REGIONAL FACILITY PLAN**

Fred Sandoval, City Manager, introduced the item and stated this was something the city had been working on jointly with neighboring cities. He further stated it would be a pro-rata share and recommended approval.

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

**C) CONSIDERATION AND ACTION, IF ANY, ON LETTER OF COMMITMENT FOR FUNDING IN SUPPORT OF THE PHARR-SAN JUAN-ALAMO INDEPENDENT SCHOOL DISTRICT PARTICIPATION IN THE STUDENT SPACEFLIGHT EXPERIMENTS PROGRAM (SSEP) MISSION 7**

Fred Sandoval, City Manager, introduced the item and stated the city helped fund this program last year from Cesar Chavez Elementary in South Pharr. He added the children have flown their science experiments for several years into the space lab and the teacher has been recognized. He added the partial funding comes from the general fund, Police Department and EDC and requested approval to continue the funding of \$16,500 and the school would raise the rest of the funds needed. He further recommended approval.

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

**ITEM 6 CONTRACTS/AGREEMENTS:**

**A) CONSIDERATION AND ACTION, IF ANY, ON AMENDMENT TO INTER-LOCAL COOPERATION AGREEMENT WITH HIDALGO COUNTY FOR TAX ASSESSMENT AND COLLECTION**

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

Comm. Cortez 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 8 CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEMS 3 – 7**

Mayor Palacios stated the time being 6:21 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 9 RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN EXECUTIVE SESSION**

Mayor Palacios stated the time being 7:08 pm; the board had completed its closed session and would be resuming the open meeting.

**ITEM 7 LEGAL:**

**A) CONSIDERATION AND ACTION, IF ANY, ON CITY OF PHARR V CITY OF ALAMO; CL-09-3347-D**

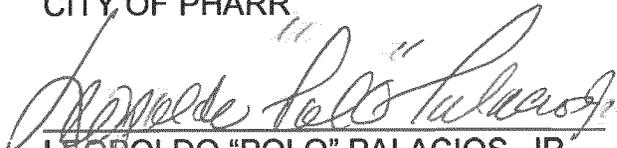
Fred Sandoval, City Manager, introduced the item and recommended approval as discussed with legal.

Comm. Elizondo moved to approve as discussed with legal in closed session. Comm. Cortez seconded the motion and when put to a vote, it carried unanimously.

**ITEM 10 ADJOURNMENT**

There being no other business to come before the board, Comm. Elizondo moved to adjourn. Comm. Cortez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 7:09 p.m.

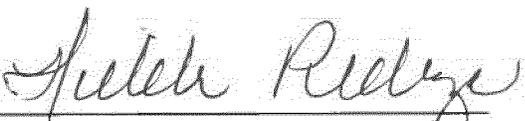
CITY OF PHARR

  
LEOPOLDO "POLO" PALACIOS, JR.  
MAYOR

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

**ON THIS THE 5<sup>TH</sup> DAY OF AUGUST, 2014** 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: September 2, 2014