

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
TUESDAY, SEPTEMBER 16, 2014 AT 5:00 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, September 16, 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.
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
Roel Garza, Athletics 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 5:10 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

Javier Sanchez led in the pledge of allegiance and said the prayer.

ITEM 2 PROCLAMATIONS:

A) PRESENTATION OF PROCLAMATION PROCLAIMING SEPTEMBER 16, 2014 AS CARLOS DIEGO FERREIRA DAY

Mayor Palacios read Proclamation proclaiming September 16, 2014 as Carlos Diego Ferreira Day. Carlos Diego Ferreira is one of ten fighters who are ranked most successful in their campaign in or for the UFC. He has earned an undefeated record before joining the UFC and has continued that trend since arriving there.

Mr. Ferreira thanked the Commission for the proclamation and stated he was proud to represent the City of Pharr and the Rio Grande Valley.

B) PRESENTATION OF PROCLAMATION PROCLAIMING SEPTEMBER 25, 2014 AS NATIONAL DAY OF REMEMBRANCE FOR MURDER VICTIMS

Mayor Palacios read Proclamation proclaiming September 25, 2014 as National Day of Remembrance for Murder Victims and presented proclamation to Robert Garcia, Parents of Murdered Children (POMC) representative.

Robert Garcia thanked the Board for the proclamation and introduced the families of murdered victims and homicide survivors. He stated the proclamation was to honor the memory of victims who have been killed by violence and acknowledge the result of long-term trauma for families, communities, and the Nation. He stated National Day of Remembrance for Murder Victims was September 25, 2014 and invited everyone to participate in a candlelight vigil that will take place at the Jose "Pepe" Salinas Civic Center at 6:30 pm.

C) PRESENTATION OF PROCLAMATION PROCLAIMING OCTOBER 23-31, 2014 AS RED RIBBON WEEK

Mayor Palacios read Proclamation proclaiming October 23-31, 2014 as Red Ribbon Week and presented proclamation to Jose Garza, Police Officer Daniel Garcia, and Police Officer J.C. Aguirre.

Jose Garza, Behavioral Health Solutions, stated this was the 15th Annual Red Ribbon Parade in which the PSJA school district, and the Cities of Pharr, San Juan, and Alamo participate in an effort to promote drug-free activities. He further thanked the Commission for the proclamation and their support.

ITEM 3 CITY MANAGER'S REPORTS:

- A) City Engineer's Report
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of August 2014 Tax Collection Report
- D) Submission of September 2014 Sales Tax Report
- E) City events of interest
- F) Legislative/Project Update

Mayor Palacios introduced the item.

Fred Sandoval, City Manager, stated any questions on city projects could be entertained at this time.

Comm. Carrillo asked if the Produce Park District project was completed. Bill Ueckert, City Engineer, stated the project had been completed but the driveway entrance was pending.

Comm. Elizondo expressed his concern with the flooding areas and asked what the city was doing to fix them.

Roy Garcia, Public Works Director, stated the city had received between 6 to 6.5 inches of rainfall with the recent rains mostly affecting the areas of Egly Street and Sugar Road and east and west Polk. He stated the city pumped water out of the properties to alleviate flooding and distributed sand bags to the residents. The whole Rio Grande Valley been inundated with water and every city had experienced flooding problems. He stated the city was in the process of designing a pond at Egly Street and Sugar Road area and individual meetings with the residents have been taking place. He reported the water at Southfork Subdivision had been pumped out and the County had an improvement project to expand the drainage ditch which should be completed in a couple of months.

Comm. Maldonado asked if fumigation efforts to control the mosquitos would continue to prevent the spread of the West Nile Virus. Roy Garcia, Public Works Director, stated they would be placing a public service announcement on Channel 12 regarding the importance of stagnant water and how to treat it. He further stated the current weather was not permitting the spraying for mosquitos but they would be putting medicine in all areas holding water.

Mayor Palacios explained that the flooding problems caused by the recent rains were hard to fix in a short period of time and asked everyone to be patient.

Fred Sandoval, City Manager, reported sales tax revenues were up by 14% for the month of September. He further announced the next Operation Clean Sweep would take place on Saturday, September 20, 2014 Public Works Office located on East Ferguson (495).

Mayor Palacios asked all Pharr residents to help keep the city clean by taking the time to place trash in the trash cans.

Comm. Elizondo asked representatives of Valley Interfaith to get some of their volunteers to help clean the city at the Operation Clean Sweep events.

At this time, Ruben Villescas, Police Chief, recognized Javier Sanchez from Templo Bethel and Teresa Rodriguez from Rodeo Dental for their contributions and volunteer support at the city's Pharr Night Out event. He further presented a recognition plaque to each of them. Teresa Rodriguez thanked the Commission for the recognition and their support.

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) APPROVAL OF MINUTES FOR AUGUST 28, 2014 – JOINT SPECIAL CALLED MEETING AND SEPTEMBER 2, 2014 – REGULAR CALLED MEETING

B) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM FIRE DEPARTMENT TO CLOSE THE 100 AND 200 BLOCKS OF WEST NEWCOMBE AVENUE FROM 12:00 A.M. TO 12:00 MIDNIGHT ON SATURDAY, SEPTEMBER 27, 2014 FOR THE CITY OF PHARR'S PUBLIC SAFETY FEST.

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

PUBLIC HEARING

1. Hector G. Menchaca, d/b/a El Huachinango Pescados y Mariscos, requested renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as the E100' of Lot 5 and 6, Block 66, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 400 South Cage Boulevard.
2. Arnoldo Garza Jr., d/b/a El Rodeo Bar & Grill, requested 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 14 and 15, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5826 South Cage Boulevard.
3. Raul Palma, Millennium Engineers Group, Inc, representing Valley Cathedral Inc., d/b/a Templo Bethel Asambleas de Dios Church, requested a change of zone from a Single-Family Residential District (R-1) to an Office Professional District (O-P). The property is legally described as follows:

Tract 1: As being 2.25 AC GR 1.84 AC NET out of the E326.07'-N300.7' of Lot 181, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas.

Tract 2: As being 1.84 AC GR 1.547 AC NET out of the E304.8'-S317.5"-N618.2' EXC W83.8'-E304.8-S197.5"-N498.2' out of Lot 181, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas.

Tract 3: As being .45 AC tract of land out of the 9.00 AC of the S10.84 AC-N1/2 EXC SE .84 & EXC. NE 1 AC out of Lot 181, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas.

The property is physically located at the 400 Block of South Veterans Boulevard.

PLATS:

4. Melden & Hunt Inc., representing Herbert L. Levine, requested final plat approval of the proposed El Centro Mall No.4 Subdivision. The property is legally described as a 32.394-acres out of Lot 6, Block 6 A.J. McColl Subdivision and out of Lots 1-4 and Lots 14-25 John Makens Subdivision, being a re-subdivision of Lot 5, Block 6, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 500 North Jackson Road.

Fred Sandoval, City Manager, introduced items 4A through 4C (4) and stated no one had signed up to speak during the public hearing portion of the meeting.

Comm. Carrillo **moved** to approve items 4a through 4C (4) under the consent agenda. Comm. Maldonado seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2014-41 is filed with the City Clerk's Office.

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 4 – 7

Mayor Palacios stated the time being 5:53 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.

Comm. Garza left the meeting, the time being 5:55 pm.

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 6:49 pm; the board had completed its closed session and would be resuming the open meeting.

REGULAR AGENDA – OPEN SESSION:

ITEM 5 ORDINANCES AND RESOLUTIONS:

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ADOPTING TAX RATE FOR FY 2014-2015

Fred Sandoval, City Manager, introduced the item and stated the tax rate had not changed from the proposed rate 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-2014-42 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015

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.

Ordinance No. O-2014-43 is filed with the City Clerk's Office.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2014-33 FOR BUDGET AMENDMENTS TO THE FY 2013-2014 BUDGET

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

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

Ordinance No. O-2014-44 is filed with the City Clerk's Office.

D) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2012-32 (NO TEXTING OR USE OF WIRELESS OR PORTABLE DEVICES)

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 ENTERING INTO AN AGREEMENT WITH TXDOT FOR CLOSURE OF NORTH U.S. 281, EAST OLD BUS. 83, AND E. EXPRESSWAY 83 (FRONTAGE RD.) ON SATURDAY, OCTOBER 11, 2014 FROM 8:00 A.M. TO 10:30 A.M. FOR THE FOOD BANK OF THE RGV CUP K/RUN WALK

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.

Resolution No. R-2014-56 is filed with the City Clerk's Office.

F) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION URGING THE UNIVERSITY OF TEXAS SYSTEM TO PRESERVE LOCAL SCHOOL SPIRIT AND REGIONAL HISTORY BY RETAINING THE BRONC AS THE NEW UNIVERSITY OF TEXAS RIO GRANDE VALLEY MASCOT

Fred Sandoval, City Manager, introduced the item and stated other cities were enacting the resolution and recommended approval.

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

Resolution No. R-2014-57 is filed with the City Clerk's Office.

ITEM 6 ADMINISTRATIVE:

A) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM FRIENDS WITH HELPING HANDS FOR ASSISTANCE ON THEIR 8TH ANNUAL CANCER WALKATHON ON SATURDAY, OCTOBER 25, 2014

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

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

B) CONSIDERATION AND ACTION, IF ANY, ADOPTING AND APPROVING BUDGET FOR PHARR ECONOMIC DEVELOPMENT CORPORATION II FY 2014-2015

Fred Sandoval, City Manager, introduced the item and stated item had been approved by Pharr Economic Development Corporation II and recommended approval.

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

C) CONSIDERATION AND ACTION, IF ANY, ADOPTING AND APPROVING BUDGET FOR PHARR ATHLETIC LEAGUE (PAL) SPORTS PROGRAM FY 2014-2015

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.

D) CONSIDERATION AND ACTION, IF ANY, ADOPTING AND APPROVING BUDGET FOR TAX INCREMENT REINVESTMENT ZONE NO. 1 FY 2014-2015

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

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

E) CONSIDERATION AND ACTION, IF ANY, ADOPTING AND APPROVING BUDGET FOR PHARR PUBLIC FACILITIES CORPORATION #1 FY 2014-2015

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

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

ITEM 7 CONTRACTS/AGREEMENTS:

A) CONSIDERATION AND ACTION, IF ANY, ON CONSULTING SERVICES AGREEMENT WITH HOLLIS RUTLEDGE & ASSOCIATES, INC.

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

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

B) CONSIDERATION AND ACTION, IF ANY, ON CONTRACTUAL AGREEMENT WITH RAMON TOVIAS FOR CONSULTING SERVICES

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

C) CONSIDERATION AND ACTION, IF ANY, ON CONTRACTUAL AGREEMENT WITH ROY PADILLA FOR CONSULTING SERVICES

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

D) CONSIDERATION AND ACTION, IF ANY, ON CONTRACTUAL AGREEMENT WITH ROBERTO LEAL TOVIAS FOR LOBBYING SERVICES FOR THE PHARR-REYNOSA INTERNATIONAL BRIDGE

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

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

E) CONSIDERATION AND ACTION, IF ANY, ON CONTRACTUAL AGREEMENT WITH RIO REGIONAL INFRASTRUCTURE SERVICES, LLC – EZEQUIEL ORDONEZ FOR CONSULTING SERVICES

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

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

F) CONSIDERATION AND ACTION, IF ANY, ON MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PHARR AND D&M VENTURES, LLC FOR MULTI-FAMILY APARTMENT PROJECTS

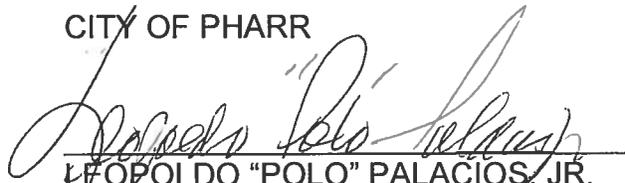
Fred Sandoval, City Manager, introduced the item and recommended approval.

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

ITEM 10 ADJOURNMENT

There being no other business to come before the board, Comm. Elizondo moved to adjourn. Comm. Maldonado seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:57 p.m.

CITY OF PHARR


LEOPOLDO "POLO" PALACIOS, JR.
MAYOR

MINUTES: REGULAR CALLED MEETING
SEPTEMBER 16, 2014

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

ON THIS THE 16TH DAY OF SEPTEMBER, 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, 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: October 7, 2014