



**TAKE NOTICE THAT A REGULAR-SPECIAL MEETING
OF THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, TEXAS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 12:00 NOON ON
THURSDAY, MARCH 6, 2014**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2010-32. 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.

2. PROCLAMATIONS:

- A) Presentation of Proclamation proclaiming March 2014 as Superior Tap Water Month.

3. 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) City Engineer's Report – Bill Ueckert
- B) City Events of Interest
- C) Legislative/Project Update

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)*

AGENDA REGULAR-SPECIAL MEETING
MARCH 6, 2014

- A) Approval of Minutes for February 17, 2014 – Regular-Special Called Meeting.
- B) Consideration and action, if any, on Change Order #1 in the additional amount of \$1,500.00 and add 13 days to the contract for the Pharr Traffic Signal – US 281 (Cage Blvd) and Rancho Blanco Road.
- C) Consideration and action, if any, on Change Order #2 in the deduct amount of \$202.50 and add 74 days to the contract for the Pharr Traffic Signal – US 281 (Cage Blvd) and Rancho Blanco Road.
- D) Consideration and action, if any, on acceptance of the Pharr Traffic Signal – US 281 (Cage Blvd) and Rancho Blanco Road with D&G Energy Corporation and release of final payment in the amount of \$ 51,957.90.
- E) Consideration and action on Planning & Zoning Cases:
Public Hearing
 - 1. Red Tape II, Inc., d/b/a Stilettos Gentlemen's Club is requesting renewal of a Sexually Oriented Business License in a General Business District (C). The property is legally described as all of Lot 2, Albrad Subdivision Unit #3, Pharr, Hidalgo County, Texas. The property's physical address is 1050 N. Sugar Road.
 - 2. Maria Silva Hernandez and Karina Martinez have filed with the Planning and Zoning Commission a request for a change of zone from a Single-Family Residential District (R-1) to a Neighborhood Commercial District (N-C). The property is legally described as Lot 1, Eva Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at the 2600 Block of South Canna Street.
 - 3. Eugene R. Vaughan, III, representing Eddie L. Vaughan, has filed with the Planning and Zoning Commission a request for a change of zone from a General Business District (C) to a Limited Industrial District (L-I). The property is legally described as Lot 1, Vaughan Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3103 North Cage Boulevard.

PLATS:

- 4. Art Salinas Engineering Inc., representing John W. Thornton, Partner of Peace & Thornton Partnership, is requesting final plat approval of the proposed P & T Subdivision. The property is legally described as a 2.57 acre tract of land out of Lot 141, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2710 N. Cage Blvd.
- 5. Javier Hinojosa Engineering, representing Aquiles Jaime Garza, is requesting preliminary plat approval of the proposed Master Re-Subdivision Plat of Bebo Industrial Park Subdivision. The property is legally described as a tract of land containing 12.59 acres, being a part or portion of 8.01 acres of Lot 3, M.P.M Subdivision and also being all of Lot 1, Bebo Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1413 West Military Highway.

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Chapter 26, “Businesses” by adding Article IX, “Motor Vehicle Sales” to the Code of Ordinances of the City of Pharr, Texas in accordance with the Texas Local Government Code, Subchapter A, Section 215.002; Authorization and procedure for persons engaging primarily or incidentally in the sale or exchange of motor vehicles; to establish licensing and other regulatory requirements for motor vehicle sales operating in the city; mandatory registration fee for each vehicle sold or exchanged; findings; providing for severability; declaring a penalty; providing for appeals; providing for applicability; and providing a saving clause; providing for the publication of the caption hereof, repealing all ordinances in conflict; and ordaining other provisions related to the subject matter hereof. (2nd reading)
- B) Consideration and action, if any, on Ordinance amending Ordinance O-2012-03, providing for repealing of conflicting ordinance(s) clause, and providing for an effective date.
- C) Consideration and action, if any, on Ordinance abolishing Ordinance Nos. O-94-34 and O-96-36 (bridge toll fees).
- D) Consideration and action, if any, on Resolution appointing/re-appointing Board of Directors for the Tax Increment Reinvestment Zone Number One.
- E) Consideration and action, if any, on Resolution appointing/re-appointing five (5) members and appointing one (1) Ex-officio member to the Tierra Del Sol Golf Advisory Board.

6. ADMINISTRATIVE:

- A) Consideration and action, if any, on request from Arise Las Milpas for assistance on their International Women’s Day March & Celebration on Friday, March 7, 2014.
- B) Consideration and action, if any, on acceptance of grant in the amount of \$20,000.00 from Border Environmental Cooperation Commission (BECC) for the Keep Pharr Beautiful program.
- C) Consideration and action, if any, on creation and supporting of a new organization for the logistics community.
- D) Consideration and action, if any, abolishing current moratorium for Used Motor Vehicle Businesses.

7. LEGAL:

- A) Consideration and action, if any, on *City of Donna v. City of Pharr*, C-0228-13-I.
- B) Consideration and action, if any, on Pharr International Services, LLC related to occupancy and related legal matters.

8. 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 4 - 7 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 **City of Donna v. City of Pharr; C-0228-13-I; and Pharr International Services, LLC related to occupancy 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.

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

10. 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 or 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-Special 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. This Notice was posted on the 28th day of February 2014, at 4:30 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 28TH DAY OF FEBRUARY 2014.




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 _____, 2014 by,

Title: _____