



**TAKE NOTICE THAT A REGULAR 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 5:00 P.M. ON
TUESDAY, AUGUST 19, 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. 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) Submission of monthly report – Pharr Municipal Court

C) Submission of July 2014 Tax Collection Report

D) Submission of August 2014 Sales Tax Report

E) City events of interest

F) Legislative/Project Update

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 15, 2014 - Regular Called Meeting.

B) Consideration and action, if any, on request from Saint Margaret Mary Catholic Church to close the 100 block of Juarez Street between Cage Blvd. and Aster Street on Saturday, October 4, 2014 from 5:00 pm – 10:00 pm and on Sunday, October 5, 2014 from 1:00 pm – 10:00 pm for their annual Jamaica.

- C) Consideration and action, if any, on Change Order #1 in the additional amount of \$115,663.88 to the contract with Upper Valley Materials LLC for Construction Materials Purchase and Delivery of Type "D" Hot Mix Asphaltic Concrete (Limestone Aggregate) Project 2013 for East Bell Street & Fir Street.
- D) Consideration and action, if any, on acceptance of delivery material from Upper Valley Materials, LLC for Construction Materials Purchase and Delivery of Type "D" Hot Mix Asphaltic Concrete (Limestone Aggregate) Project 2013 for East Bell Street & Fir Street and release of final payment in the amount of \$ 202,360.89.
- E) Consideration and action, if any, on request to advertise for the Purchase & Delivery of Construction Materials (Type D HMAC-Limestone Aggregate, TY D Cold Mix, Type F Grade 3 Caliche, Concrete Mix, Reinforced Concrete Pipe) for Public Works annual use (FY 2014-2015).
- F) **Consideration and action on Planning & Zoning Cases:**
Public Hearing
1. Rudy's Texas Bar-B-Q, L.L.C. / Carlos Torres, d/b/a Rudy's Country Store Bar-B-Q, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Limited Industrial District (L-I). The property is legally described as Lot 1, Los Hoteles Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 209 West Nolana.
 2. Juanita Garza d/b/a Pharr West Club, LLC, is requesting 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 Lot 3, Replat of Lot 1, Mexican Fiesta Subdivision, and Lot 1, Mexican Fiesta Unit #2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1302 West Nolana.
 3. Red Robin Restaurant is requesting 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 Lot 2, Paradise Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 409 South Jackson Road.
 4. Marina Reyes has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an oversized storage unit in a Single-Family Residential District (R-1). The property is legally described as Lot 21, San Gabriel Subdivision, Phase I, Pharr, Hidalgo County, Texas. The property's physical address is 6108 Valdivia Street.
 5. Anna Lee Salinas has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an oversized storage unit in a Single-Family Residential District (R-1). The property is legally described as Lot 9, Regal Park Estates, Pharr, Hidalgo County, Texas. The property's physical address is 3601 Yvette Drive.
 6. Marco Antonio Retureta has filed with the Planning and Zoning Commission a request for a change of zone from a Single-Family Residential District (R-1) to a Limited Industrial District (L-I). The property is legally described as the N104'-E418'-S104'-W418', 1.00 acre tract of land more or less out of Lot 349, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8623 South Cage Boulevard.

PLATS:

7. Sam Engineering & Surveying, representing Maria De La Luz Santana and Jose Luis Delgado, are requesting preliminary and final plat approval of the proposed La Quinta Subdivision Replat Lots 52-55. The property is legally described as 0.752 acres being all of Lots 52-55 and the south portion of a 20 foot alley, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 5900 Block of South Cage Boulevard.

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

- A) 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”.
- B) Consideration and action, if any, on Resolution to participate in the Texas Parks and Wildlife Department Local Park Grant Program-Pharr Nature Park.
- C) Consideration and action, if any, on Resolution authorizing Police Department to enter into an Interlocal Agreement and accept Grant Award from the Auto Theft Prevention Authority.

5. ADMINISTRATIVE:

- A) Presentation of Commission action required for adopting tax rate and budget.
- B) Presentation of 2014 Certified Tax Roll.
- C) Presentation of Proposed City of Pharr Budget FY 2014-2015.
- D) Submission and certify anticipated 2014 Debt Collection Rate and Excess 2013 Debt Tax Collections.
- E) Submission and certify Effective and Rollback Tax Rate.
- F) Discussion and action for vote on proposed Tax Rate Increase.
- G) Consideration and action, if any, on Pharr Police Athletic League hosting the 2nd Annual Color Me Loco 5K and Family Fun Run on Saturday, November 1, 2014.
- H) Consideration and action, if any, awarding bid for the South Pharr Sidewalk Improvements Project.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, authorizing City Manager to negotiate contract with Cruz-Hogan Consultants for professional engineering services, preparation of plans, and specifications for two (2) additional north bound lanes at the Pharr Bridge Port of Entry TxDOT CBI (CSJ:0921-02-289) Project.
- B) Consideration and action, if any, on extending the Interlocal Agreement between the Lower Rio Grande Valley Development Council and the City of Pharr for the South Pharr Sidewalk Improvements Project New Freedom Grant.
- C) Consideration and action, if any, on contract between the City of Pharr and Hidalgo County Elections Administrator for election services for the Special Election on November 4, 2014.
- D) Consideration and action, if any, on contractual agreement(s) for city consultant services.

7. LEGAL:

- A) Consultation with the Board of Commissioners on Bridge Director.

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 3 - 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 **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 **consultation with the Board of Commissioners on Bridge Director, 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.

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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 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 15th day of August 2014, at 5:30 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).

WITNESSED BY HAND AND SEAL, this 15TH DAY OF AUGUST 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: _____