



**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
MONDAY, MARCH 7, 2016**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2015-28. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

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.
- C) Public Comments. (Ordinance No. O-2015-28)
A registered speaker may speak on several items or topics of public concern; however, a speaker may not exceed three (3) minutes as a whole when addressing the board. A registered speaker may not donate time to another speaker. No more than five (5) registered persons may speak at a scheduled meeting. A sign-in form must be filled out prior to the meeting to allow the registered speaker to address the governing body.

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
- B) Submission of January 2016 Tax Collection Report
- C) City Events of Interest

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 February 15, 2016 – Regular Meeting.

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- B) Consideration and action, if any, on Ordinance adopting Article IV – Cost Recovery to Code of Ordinance, Chapter 54, Fire Protection and Fire Prevention. (FIRE) – **3rd and Final Reading**
- C) Consideration and action, if any, on Ordinance amending Ordinance No. O-82-13 and creating appendix A Zoning, Sec. 1.89 of the City of Pharr Code of Ordinances, Planning and Zoning Commission By-Laws. (ADMINISTRATION) – **3rd and Final Reading**
- D) Consideration and action, if any, on request from PSJA ISD for use of the Boggus Ford Events Center on Wednesday, April 27, 2016 for their 8th Annual Dual Language Bi-Literacy Certification Ceremony. (EVENTS CENTER)
- E) Consideration and action, if any, on request from PSJA ISD for use of the Boggus Ford Events Center on Thursday, May 12, 2016 for their 5th Grade District-Wide Career Fair. (EVENTS CENTER)
- F) Consideration and action, if any, authorizing waiver of fees for Police services for Behavioral Health Solutions of South Texas during rental of the Tierra Del Sol Banquet Room on April 29, 2016 for their 9th Annual Noche Inolvidable “Casino Extravaganza”. (POLICE)
- G) Consideration and action, if any, ratifying request from PSJA ISD for closure of Kelly Avenue from Fir Avenue to Gumwood Avenue for their Middle School Track Meet at Stadium on Thursday, March 3, 2016 from 3:00 p.m. to 9:00 p.m. (POLICE)
- H) Consideration and action, if any, rejecting bids for Classification and Compensation Study. (HR)
- I) Consideration and action, if any, ratifying request from City of Hidalgo for use of City of Pharr’s mobile stage and bleachers for their annual 2016 Border Fest event. (ADMINISTRATION)
- J) Consideration and action on Planning & Zoning Cases:

PUBLIC HEARING:

1. Xoticas is requesting renewal of the Sexually Oriented Business License in a Limited Industrial District (L-I). The property is legally described as a 0.6081-acre tract of land out of a certain 0.88 acre out of Lot 100, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 4502 North Cage Boulevard. **SOB#010105**
2. Fuera De Lugar, LLC, d/b/a Fuera De Lugar 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 .071 of an acre tract of land, more or less, out of Plaza Sports Center Phase 1 Lot 1 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1101 East Nolana Loop. **CUP#150101**

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3. Raul Fong, d/b/a D's Paradise Lounge, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). The property is legally described as Lot 14, Block 1, J. T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 107 East Newcombe Avenue (Park). **CUP#040213**
4. Roberto Torres Jr. 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 being all of Lot 40, Los Laureles Subdivision Phase 2, Pharr, Hidalgo County, Texas. The property's physical address is 907 West Denise Drive. **CUP#160103**
5. Lucina G. Gonzalez, representing Casa de Fe, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C). The property is legally described as being all of Lot 208, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6703 South Jackson Road. **CUP#160105**

PLATS:

6. Sam Engineering & Surveying Inc., representing Cesar Garcia Vigil, is requesting preliminary and final plat approval of the proposed Amended Interenlace Subdivision. The property is legally described as being a 10.00-acre tract of land being the East 10.00 acres of the West 20.00 acres of Lot 358, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 600 and 800 Block of West Anaya Road. **SUB#160202**
7. Sam Engineering & Surveying Inc., representing Adolfo Campero, Manager, is requesting preliminary plat approval of the proposed Campero Subdivision Master Plan. The property is legally described as being a 48.029-acre tract of land, being part or portion of Lot 358 and Lot 359, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 700 and 1200 Block of West Anaya Road. **SUB#151229**

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance authorizing and ordering the issuance of City of Pharr, Texas Combination Tax and Revenue Certificates of Obligation, Series 2016 in an aggregate principal amount of \$14,415,000.00 for the acquisition, construction and improvements of certain public works; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale thereof; and making other provisions regarding such certificates, including use of the proceeds thereof; and matters incident thereto (FINANCE)
- B) Consideration and action, if any, on Ordinance adopting the Comprehensive Plan "Pharr into the Future, Your Vision! Pharr 2025". (DEVELOPMENT SERVICES) – **1st Reading**

- C) Consideration and action, if any, on Resolution for voluntary drug screening. (ADMINISTRATION)
- D) Consideration and action, if any, on Resolution for drain ditch right-of-way Texas Department of Transportation purchased from City of Pharr. (ADMINISTRATION)
- E) Consideration and action, if any, on Resolution entering into an agreement with Texas Department of Transportation for closure of U.S. 281 (Cage Blvd.) from U.S. Business 83 to Kelly Avenue for the Annual Hub Phest event from Friday, April 8, 2016 (12:00 a.m.) to Sunday, April 10, 2016 (12:00 p.m.). (PUBLIC WORKS)
- F) Consideration and action, if any, on Resolution appointing two (2) members and appointing/re-appointing six (6) members to the Community Development Council. (CDBG)

5. ADMINISTRATIVE:

- A) Consideration and action, if any, awarding bid for Water and Sanitary Sewer Improvements on US 281 (Military Highway) Project. (ENGINEERING)
- B) Consideration and action, if any, awarding bid for Pharr-Reynosa International Bridge Sealed Expansion Joint Repair Project. (BRIDGE)
- C) Consideration and action, if any, on nomination of five (5) high school marching bands for the 2017 National Memorial Day Parade in Washington, DC. (ADMINISTRATION)

6. PURCHASING:

- A) Consideration and action, if any, authorizing Pharr Police Department to purchase thirty-seven (37) Tasers in the amount of \$53,371.76. (POLICE)

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on supplement agreement with Union Pacific Railroad for water transmission line on West Business 83 and Dahlia Street. (PUBLIC UTILITIES)
- B) Consideration and action, if any, authorizing Pharr Police Department to enter into a contract with Tyler Technologies for electronic citation solutions. (POLICE)
- C) Consideration and action, if any, authorizing City Manager to negotiate additional engineering services with S&GE Engineering for Waste Water Treatment Secondary Clarifier No. 2. (ENGINEER)

- D) Consideration and action, if any, authorizing City Manager to negotiate fee for professional engineering services with Dannenbaum Engineering for relocation of water and sanitary sewer utilities due to the construction of HCRMA (SH 365-Segment 1 and 2). (ENGINEER)
- E) Consideration and action, if any, authorizing City Manager to negotiate fee for professional engineering services with TEDSI Engineering for Pharr/Reynosa International Bridge second exit to the BSIF. (ENGINEER)
- F) Consideration and action, if any, on contract for professional engineering services with R. Gutierrez Engineering for Pharr Bicycle Accessible Improvement Project. (ENGINEERING)
- G) Consideration and action, if any, on ratification of agreement with UTRGV for athletics sponsorship. (ADMINISTRATION)
- H) Consideration and action, if any, on 380 Comprehensive Economic Stimulus agreement with Evergreen Cold Storage, LLC. (PEDC)
- I) Consideration and action, if any, on 380 Comprehensive Economic Stimulus agreement with Grupo Internelace, Inc. (PEDC)
- J) Consideration and action, if any, on 380 Comprehensive Economic Stimulus agreement with Spring Valley Fruits, Inc. (PEDC)
- K) Consideration and action, if any, on Memorandum of Understanding between Hidalgo County Regional Mobility Authority (HCRMA) and other municipalities to establish a partnership in areas of benefit to all entities. (PEDC)
- L) Consideration and action, if any, on Binding Memorandum of Understanding with development company. (ADMINISTRATION)
- M) Consideration and action, if any, on mutual separation agreement and release between Rogelio S. Garcia and City of Pharr. (ADMINISTRATION)

8. LEGAL:

- A) Consideration and action, if any, on agreement with Border Ads and the City of Pharr. (BRIDGE)

- 9. 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 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**

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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.

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

11. 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 imelda.barrera@pharr-tx.gov for further information. Braille is not available.

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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 4th day of March, 2016, at 4:00 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).



WITNESSE MY HAND AND SEAL, this 4TH DAY OF MARCH 2016.



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 _____, 2016 by,

Title: _____