



**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, MAY 2, 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. PROCLAMATIONS:

- A) Proclamation proclaiming Economic Development Week.

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
- B) Consultants Quarterly Reports
- C) Presentation by PSJA ISD on Summer Meals Program
- D) City Events of Interest

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)*

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- A) Approval of minutes for April 18, 2016 – Regular Called Meeting.
- B) Consideration and action, if any, on request from Port of Brownsville for the use of two trolleys for their 80th anniversary event on Saturday, May 14, 2016 from 10:00 a.m. to 4:00 p.m. (ADMINISTRATION)
- C) Consideration and action, if any, on request from City of Alamo for the use of four (4) electrical junction boxes for their 4th Annual Watermelon Festival. (PUBLIC WORKS)
- D) Consideration and action, if any, on request from the Rio Grande Valley Literacy Center for police assistance for their Annual Boots and Bling Fundraiser on Thursday, May 5, 2016 at La Placita Event Center. (POLICE)
- E) Consideration and action, if any, on request from PJSA Early College High School for the use of the Tierra Del Sol Golf Course and waive the green fees for their 2nd Annual PSJA ECHS Bear Scholarship Classic Golf Tournament on May 7, 2016. (PARKS & REC)
- F) Consideration and action, if any, on request from PSJA ISD and Career and Technical Student Organization (CTSO) for the use the Tierra Del Sol Banquet Room for their SkillsUSA Awards Banquet on Friday, May 13, 2016 from 5:00 p.m. to 9:00 p.m. (PARKS & REC.)
- G) Consideration and action, if any, on acceptance of a Hazardous Material Trailer from the County of Hidalgo. (FIRE)
- H) Consideration and action, if any, authorizing City Manager to advertise for bids for FY 2015-2016 Asphalt Oil Material for Public Works Paving Projects. (ENGINEERING)
- I) Consideration and action, if any, authorizing City Manager to advertise for bids for Asphalt and Oil minerals for Marigold Lane and Larkspurs Lane. (ENGINEERING)
- J) Consideration and action, if any, authorizing City Manager to advertise for bids for Downtown Lighting Project –US Business 83 to Polk Avenue. (ENGINEERING)
- K) Consideration and action, if any, on sponsorship in the amount of \$2,968.75 for Asociacion de Agentes Aduanales de Reynosa Guayabera. (BRIDGE)
- L) Consideration and action, if any, on membership renewal in the amount of \$2,500 for Border Trade Alliance (BTA) Bronze Plus Level. (BRIDGE)
- M) **SECOND PUBLIC HEARING:** Solicitation of comments on the designation of Evergreen Cold Storage, LLC as a Texas Enterprise Zone Project. (PEDC)

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- N) Consideration and action, if any, on Ordinance designating Evergreen Cold Storage, LLC as a Texas Enterprise Zone Project. (PEDC) **2nd Reading**
- O) Consideration and action, if any, on Ordinance amending Ordinance No. O-96-35, Chapter 62 – Health and Sanitation to add smoking regulations. (DEV. SERVICES) **2nd Reading**
- P) Consideration and action, if any, on Resolution authorizing the City of Pharr to participate in the TexPool Investment Pools and designating authorized representatives. (FINANCE)
- Q) Consideration and action, if any, on Resolution authorizing Police Department to enter into an Interlocal Agreement with Hidalgo County Sheriff's Office for FY 2016 Operation Stonegarden Grant Funds. (POLICE)
- R) Consideration and action, if any, on agreement with Valley IT Solutions, Inc., for network maintenance and support for E-rate equipment. (LIBRARY)
- S) Consideration and action, if any, on service agreement with SmartCom Telephone, LLC for internet services at the Pharr Memorial Library. (LIBRARY)
- T) Consideration and action, if any, authorizing City Manager to negotiate the sale of property legally described as being a 288,728 square foot or 6.6283-acre tract of land out of Lot 226, Kelly-Pharr Subdivision, Pharr, Hidalgo County Texas – Parcel 19 for the Hidalgo County Linear Park Project. (DEVELOPMENT SERVICES)
- U) Consideration and action, if any, authorizing City Manager to negotiate the sale of property legally described as being a 209,020 square foot or 4.7984-acre tract of land out of Lot 221, Kelly-Pharr Subdivision, Pharr, Hidalgo County Texas – Parcel 8 for the Hidalgo County Linear Park Project. (DEVELOPMENT SERVICES)
- V) Consideration and action, if any, authorizing City Manager to negotiate the sale of property legally described as being a 18,357 square foot or 0.4214-acre tract of land out of Lot 223, Kelly-Pharr Subdivision, Pharr, Hidalgo County Texas – Parcel 18 for the Hidalgo County Linear Park Project. (DEVELOPMENT SERVICES)
- W) Consideration and action, if any, authorizing City Manager to negotiate the sale of property legally described as being a 275,880 square foot or 6.3333-acre tract of land out of Lot 223, Kelly-Pharr Subdivision, Pharr, Hidalgo County Texas – Parcel 20 for the Hidalgo County Linear Park Project. (DEVELOPMENT SERVICES)

X) Consideration and action on Development Services Cases:
PUBLIC HEARING:

1. All Square, Inc., represented by Mr. Ramiro Armendariz, d/b/a Jackie's, is requesting 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 Colonia Santa Barbara, S150' of Lots 5-10, Block 1, Pharr, Hidalgo County, Texas. The property's physical address is 819 West Ferguson. **CUP#120419**
2. Stephanie B. Palacios, d/b/a Hukah Spot, has filed with the Planning and Zoning Commission a request for 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 being all of Lots 9 & 10, Block 1, Amended Plat of Mayfair Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3914 North Jackson Road. **CUP#160319**

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Resolution authorizing execution and delivery of documents with respect to capital lease financing. (FINANCE)
- B) Consideration and action, if any, on Resolution appointing two (2) members to the Parks and Recreation Advisory Board. (PARKS & REC.)

6. ADMINISTRATIVE:

- A) Consideration and action, if any, awarding bid for service contract to generate Chlorine Dioxide. (PUBLIC UTILITIES)
- B) Consideration and action, if any, authorizing PEDC II Executive Director to negotiate loan under the PEDC II for economic development programs. (PEDC)
- C) Consideration and action, if any, authorizing PEDC II Executive Director to submit an application for recognition of exemption under a Section 501 (a) organization. (PEDC)
- D) Consideration and action, if any, on Adopt-a-Park Program. (PARKS & REC)
- E) Consultation with the Board of Commissioners on review of the city organization structure. (ADMINISTRATION)

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on Engagement Agreement between City of Pharr and Johnson Petrov LLP for legal representation. (LEGAL)

- B) Consideration and action, if any authorizing City Manager to negotiate and execute contract with SDI Engineering for additional engineering services for Downtown Lighting Project. (ENGINEERING)
- C) Consideration and action, if any, amending contract with Rio Regional Infrastructure Services, LLC for professional infrastructure and lobbying services for the Mexican Aduana Improvements. (BRIDGE)
- D) Consideration and action, if any, accepting real estate listing agreement from BIC Realty for PEDC II property located at 1206 W. Sam Houston. (PEDC)
- E) Consideration and action, if any, on incentive agreement with RGV Careers. (PEDC)

8. LEGAL:

- A) Consideration and action, if any, on attorney consultation concerning legal action against Vecchio Motel for past due hotel/motel tax. (FINANCE)
- B) Consideration and action, if any, on attorney consultation concerning legal action against COPSync, Inc. loan. (PEDC)
- C) Consideration and action, if any, on legal action on promissory note of Shay Cantu d/b/a Gridiron Burgers. (PEDC)

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 4 - 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 concerning legal action against Vecchio Motel for past due hotel/motel tax; legal action COPSync, Inc. loan; and legal action on promissory note of Shay Cantu d/b/a Gridiron Burgers 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

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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.

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 29th day of April, 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).



WITNESS MY HAND AND SEAL, this 29th DAY OF APRIL 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: _____