



**TAKE NOTICE THAT A SPECIAL-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, JULY 11, 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.

2. PROCLAMATIONS:

- A) Proclamation proclaiming Refugio "Cuco" Castillo Day.

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) City Events of Interest

4. PUBLIC COMMENTS/PUBLIC HEARINGS:

- A) **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.*

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- B) PUBLIC HEARING: Solicitation of comments on the Pharr Police 2016 Edward Bryne Memorial Assistance Grant application for funding the purchase of two (2) Cisco vCenter Servers with the allocated grant funding of \$21,172.00.
- C) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES: *(Ordinance No. O-2015-28). A registered speaker during the public hearing may not exceed three (3) minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.*
5. **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 June 6, 2016 – Regular Called Meeting and June 20, 2016 – Regular Called Meeting. (ADMINISTRATION)
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2015-44 rental of city facilities. (PARKS & REC.) – **3rd & Final Reading**
- C) Consideration and action, if any, on Ordinance establishing procedures and rates for rental of Boggus Ford Events Center. (EVENTS CENTER) – **2nd Reading**
- D) Consideration and action, if any, on Request for Qualifications for Architectural Design for the Pharr International Bridge Administration building expansion. (BRIDGE)
- E) Consideration and action, if any, rejecting proposal for Used Tires and Rubber Scrap Removal and Disposal/Recycling Services and authorize staff to re-advertise. (PUBLIC WORKS)
- F) Consideration and action, if any, on request by Outcry In The Barrio for street closure for their upcoming ribbon cutting/grand opening ceremony on Wednesday, August 17, 2016. (ADMINISTRATION)
- G) Consideration and action, if any, on Development Services Cases:
1. Ramiro Garza, representing Heavenly Splendor Ministry, 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 Limited Industrial District (L-I). The property is legally described as being Lot 14, Landmark Commercial Plaza, Pharr, Hidalgo County, Texas. The property is physically located at 5500 North Birch Street. **CUP#160526**

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2. The City of Pharr 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 Lot 1, Tip-O-Texas Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 3000 North Cage. **CUP#160627**
3. The City of Pharr has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Planned Unit Development District (PUD). The property is legally described as being a tract of land containing 3.28 acres out of Lots 226, 238 and 239, and all land comprising of the Golf Course, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 700 East Hall Acres Road. **CUP#160628**
4. Rommel Organista, d/b/a Kurai Chinese & Sushi 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 being Lot 1, Jackson Ridge Court Phase II Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1201 South Jackson, Suite 1. **CUP#120424**
5. 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 being Lot 1, Los Hoteles Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 209 West Nolana. **CUP#040644**
6. R.G.V. & Associates/Laura L. Garza, d/b/a George's Dance Hall, 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 being Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6801 South Jackson Road. **CUP#120529**
7. RGV Pizza Hut, LLC d/b/a Pizza Hut of Pharr, 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 being the North 256.0'-East 125.0' of Block 1, Palm Heights Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1001 West Highway 83. **CUP#010519**

REGULAR AGENDA – OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Resolution authorizing the Pharr Police Department to submit an application for the FY 2016 Edward Bryne Memorial Justice Assistance Grant Allocation of \$21,172.00 and authorize the purchase of two (2) Cisco vCenter Servers. (POLICE)
- B) Consideration and action, if any, on Resolution for appointment/re-appointment of two (2) alternate members to the Board of Adjustment. (DEVELOPMENT SERVICES)

7. ADMINISTRATIVE:

- A) Consideration and action, if any, on Change Order #1 in the total deduct amount of \$240,216.81 and add 65 days to Cutler Repaving, Inc. contract for Single Machine Repaving Project Year 1 - Phase B.
- B) Consideration and action, if any, if any, on acceptance of the Single Machine Repaving Project Year 1 - Phase A with Cutler Repaving, Inc. and release of final payment and retainage in the amount of \$ 264,316.63.

8. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on Interlocal Agreement between Hidalgo County Drainage District No. 1 and the City of Pharr for the McAllen/Pharr Lateral Drainage Improvements. (PUBLIC WORKS)
- B) Consideration and action, if any, on agreement between Pharr Housing Finance Corporation and the City of Pharr for program administration. (ADMINISTRATION)
- C) Consideration and action, if any, on cancellation and or giving the City Manager the authority to negotiate and enter into a contract on the selection of a Construction Manager for construction project management services for the South Pharr Development and Research Center Building. (ENGINEERING)
- D) Consideration and action, if any, on project developer for the PHFC Jackson Place Apartments project. (ADMINISTRATION)

9. LEGAL:

- A) Consideration and action, if any, on agreement between Pharr Housing Finance Corporation, PHFC Jackson Place Apartments Corporation, City of Pharr, and Peralez Franz, LLP for legal representation. (ADMINISTRATION)

10. 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 - 9 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 **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

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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.

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

12. **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 8th day of July, 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 8th DAY OF JULY 2016.



Hilda Pedraza

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: _____