



**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., 2<sup>ND</sup> FLOOR, PHARR, TEXAS  
COMMENCING AT 5:00 P.M. ON  
MONDAY, AUGUST 15, 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. 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 July 2016 Tax Collection Report
- C) Submission of August 2016 Sales Tax Report
- D) Submission of Comprehensive Quarterly Report ending June 30, 2016
- E) Recognition of Baseball All-Stars and Games of Texas Medalists
- F) City Events of Interest

**3. 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.*
- B) **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.*

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)*
- A) Approval of minutes for July 11, 2016 – Special-Regular Called Meeting. (ADMINISTRATION)
  - B) Consideration and action, if any, on request for waiver of rental fees for Friday Night Honky Tonk at the Boggus Ford Events Center on Friday, August 26, 2016. (EVENTS CENTER)
  - C) Consideration and action, if any, on request by PSJA ISD for the use of the Boggus Ford Events Center on Thursday, August 18, 2016 for their graduation ceremonies for special purpose students. (EVENTS CENTER)
  - D) Consideration and action, if any, authorizing City Manager to advertise for bids for the rehabilitation of the Wastewater Treatment Plant Clarifier No. 2 Project. (UTILITIES)
  - E) Consideration and action, if any, authorizing City Manager to advertise for bids for the purchase of fuel. (PUBLIC WORKS)
  - F) Consideration and action, if any, on request by Harley Owners Group Thunder Horse Chapter #3035 for donation in the amount of \$1,500.00 for their Kickstand for Kids Backpack event on Friday, September 2, 2016 at Carmen Anaya Elementary School. (ADMINISTRATION)
  - G) Consideration and action, if any, on Memorandum of Understanding with Constituent Agencies of the Texas Anti-Gang (TAG) Center of the Rio Grande Valley. (POLICE)
  - H) Consideration and action, if any, on service agreement with Cummins-Southern Plains for generators at the Wastewater Treatment Plant and Main Lift Stations. (UTILITIES)
  - I) Consideration and action, if any, authorizing City Manager to accept a grant in the amount of \$30,000 from the Lower Rio Grande Valley Development Council (LRGVDC) for the Regional Solid Waste Grants Program. (PUBLIC WORKS)
  - J) Consideration and action, if any, authorizing PEDC II Executive Director to negotiate contract with TERMO International Productions for social media translation services. (PEDC II)
  - K) Consideration and action, if any, on Intergovernmental Cooperative Agreement between the City of Pharr and the Palm Valley Animal Center for the Operation of a Regional Animal Shelter. (PUBLIC WORKS)

- L) Consideration and action, if any, on Ordinance amending Ordinance No. O-2012-44 to adopt an updated Personnel Policy Manual. (HR) – **2<sup>nd</sup> Reading**
- M) Consideration and action, if any, on Resolution authorizing Police Department to enter into an Interlocal Agreement and accept Grant Award from Auto Burglary and Theft Prevention Authority. (POLICE)
- N) Consideration and action, if any, on Resolution opposing the recent administrative efforts by the Texas Department of Transportation to no longer apply the Economically Disadvantaged County Program to Off-System (Non-TxDOT Roadways) Transportation Projects throughout the State and more specifically Hidalgo County. (ADMINISTRATION)
- O) Consideration and action, if any, authorizing PEDC II Executive Director on Advance Request and Compliance Certificate for Pharr Bridge Business Park loan. (PEDC II)
- P) Consideration and action, if any, authorizing PEDC II Executive Director on Advance Request and Compliance Certificate for Mayan Capital Marketing LLC D/B/A Khan's Grill Loan.
- Q) Consideration and action, if any, authorizing PEDC II Executive Director to list the Pharr Trade District acreage at a new sales price of \$120,000 per acre. (PEDC II)
- R) Consideration and action, if any, authorizing City Manager to negotiate and execute contract to purchase land for new fire station in Pharr industrial area. (ADMINISTRATION)
- S) Consideration and action, if any, authorizing the purchase of a Sky Watch Tower in the amount of \$115,609 under GSA purchasing contract utilizing 2015 Stonegarden grant funds. (POLICE)
- T) Consideration and action, if any, on Development Services Cases:
  - 1. Ruth Cantu, representing Solo Por Gracia Ministries Church, 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 0.027 acres, more or less, out of Lot 2, Nolana Business Plaza Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 912 East Nolana Loop, Suite P. CUP#160734
  - 2. Macumba Paradise, LLC 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 0.102 acres, more or less, out of Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1209 East Nolana Loop. CUP#160736

AGENDA REGULAR MEETING  
AUGUST 15, 2016

3. Marta's Bar 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 Business District (C-2). The property is legally described as being 0.064 acres, more or less, out of Lots 13-16, and the W10' out of Lot 12, Block 32, Pharr Original Townsite, Pharr, Hidalgo County, Texas. The property is physically located at 410 West State Street, Suite D. CUP#160737

**PLATS:**

4. HALFF Associates, Inc., representing Capote Farms, Inc., Phill Dyer, President is requesting preliminary plat approval of the proposed Master plat Capote International Business Park Phase IV. The property is legally described as being a 25.603-acre tract out of Lots 395 and 396 and Porciones 66, 67, 69 and 70 of Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 500 and 600 Block of East Military Highway. SUB#160719
5. Rio Delta Engineering, representing Santiago Alanis and Azeneth Alanis, are requesting final plat approval of the proposed A 2 Z Subdivision. The property is legally described as being a 1.00-acre tract of land, more or less, out of Lot 4, Block 145, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1400 and 1600 Block of East Ferguson Avenue. SUB#150307
6. MAS Engineering, L.L.C., representing Westsea Capital, LTD, is requesting to vacate a part or portion of Amended Villa Del Rey Subdivision and for final plat approval of the proposed Ticketmaster Addition Subdivision. The property is described as being a 7.985-acre tract of land out of Lot 6, Block 7, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1000 and 1100 Block of South Jackson Road. SUB#160304

**REGULAR AGENDA – OPEN SESSION:**

**5. ORDINANCES AND RESOLUTIONS:**

- A) Consideration and action, if any, on Ordinance authorizing school zone safety restrictions of operations of vehicles during peak hours of school days. (POLICE) **Adoption on 1<sup>st</sup> Reading**
- B) Consideration and action, if any, on Ordinance O-2013-32 amending and adopting the 2015 International Energy Conservation Code, excluding appendices RA and RB for the City of Pharr; providing for severability; providing for a penalty clause; and providing for publication and as effective date. (DEVELOPMENT SERVICES) **1<sup>st</sup> Reading**
- C) Consideration and action, if any, on Resolution appointing/re-appointing a Representative and an Alternate to the Amigos Del Valle Board of Directors for Fiscal Year 2016-2017. (ADMINISTRATION)

**6. ADMINISTRATIVE:**

- A) Presentation of Proposed City of Pharr Budget FY 2016-2017. (FINANCE)
- B) Submission and Certify Effective and Rollback Tax Rate. (FINANCE)

- C) Discussion and action for vote on proposed Tax Rate Increase and schedule public hearings. (FINANCE)
- D) Consideration and action, if any, authorizing PEDC II Executive Director to advertise for Request for Proposals for the sale of real property located at Pharr Commercial Plaza. (PEDC II)
- E) Consideration and action, if any, on loan in the amount of \$185,000 to Mayan Capital Marketing LLC D/B/A Khan's Grill from PEDC II Line of Credit. (PEDC II)
- F) Consideration and action, if any, on loan in the amount of \$800,000 to Pharr Bridge Business Park for infrastructure improvements from PEDC II Line of Credit. (PEDC II)
- G) Consideration and action, if any, on incentive program for residential development. (PEDC II)
- H) Consideration and action, if any, allowing City Manager to create and manage a robotics nonprofit entity and program and enter into a contract if necessary. (IT)

**7. CONTRACTS/AGREEMENTS:**

- A) Consideration and action, if any, on Memorandum of Understanding between City of Pharr and Affordable Homes of South Texas, Inc. for affordable housing program. (COMMUNITY DEVELOPMENT)
- B) Consideration and action, if any, on incentive agreement with Evergreen Cold Storage, LLC. (PEDC II)
- C) Consideration and action, if any, on \$1,000,000 incentive agreement with Pharr Bridge Business Park for infrastructure improvements. (PEDC II)
- D) Consideration and action, if any, on Interlocal agreement between City of Pharr and Hidalgo County for proposed Regional Linear Park Project. (ADMINISTRATION)

**8. LEGAL:**

- A) Consideration and action, if any, on engagement of Denton Navarro Rocha Bernal Hyde & Zech, P.C. for assistance with public information requests related to D&M and Jackson Place Apartments. (LEGAL)
- B) Discussion of potential litigation pertaining to employee matters. (LEGAL)

C) Discussion and update on Cause No. C-3205-16-E, D&M Ventures, LLC v City of Pharr Texas Pharr Housing Finance Corporation and PHFC Jackson Place Apartments Corporation. (LEGAL)

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 **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.

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](mailto:hilda.pedraza@pharr-tx.gov) or [imelda.barrera@pharr-tx.gov](mailto: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](http://www.pharr-tx.gov). This Notice was posted on the 12<sup>th</sup> day of August, 2016, 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 12<sup>th</sup> DAY OF AUGUST 2016.**

*Hilda Pedraza*  
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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: \_\_\_\_\_