



**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 16, 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 Put on Purple Day.
- B) Proclamation proclaiming National Public Work Week.
- C) Proclamation proclaiming National Hurricane Preparedness Week.
- D) Proclamation proclaiming National Police Memorial 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) Submission of Monthly Report – Pharr Municipal Court
- C) Submission of April 2016 Tax Collection Report
- D) Submission of May 2016 Sales Tax Report
- E) Presentation of 2nd Quarterly Financial Report for FY 2015-2016
- F) Presentation by Linebarger Goggan Blair & Sampson on Delinquent Tax Report for FY 2015-2016
- G) Presentation of Pharr Environmental Sustainability Scholarship
- H) 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)*

- A) Approval of minutes for May 2, 2016 – Regular Called Meeting. (ADMINISTRATION)
- B) Consideration and action, if any, authorizing City Manager to advertise for Used Tire and Rubber Scrap Disposal Services. (PUBLIC WORKS)
- C) Consideration and action, if any, on donation to Children's Miracle Network Hospitals Program. (ADMINISTRATION / PEDC II)
- D) Consideration and action, if any, ratifying request from Boys & Girls Club Annual Wine and Food Festival sponsorship. (ADMINISTRATION)
- E) **THIRD PUBLIC HEARING:** Solicitation of comments on the designation of Evergreen Cold Storage, LLC as a Texas Enterprise Zone Project. (PEDC)
- F) Consideration and action, if any, on Ordinance designating Evergreen Cold Storage, LLC as a Texas Enterprise Zone Project. (PEDC) **3rd Reading**
- G) Consideration and action on Development Services Cases:

PUBLIC HEARING:

1. Sergio R. Garcia, d/b/a Aragon Music Hall, 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 Lots 1, 2 & 4, Replat of Lot 1, Mexican Fiesta Subdivision Unit No. 1 and Lot 1, Mexican Fiesta Subdivision Unit No. 2 Pharr, Hidalgo County, Texas. The property's physical address is 1300 West Nolana. **CUP#100313**

AGENDA REGULAR MEETING
MAY 16, 2016

2. Raul Fong, d/b/a Junction Cafe, 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 1 and the S7' of Lot 2, Block 1, J.T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 11 South Cage Boulevard. **CUP#911291**
3. Oscar Barrera, d/b/a Texas Theater Ballroom, 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 Lots 10-12 and N11.5' of Lot 13, Block 1, J.T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 115 East Newcomb (Park) Avenue. **CUP#080419**

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-96-35, Chapter 62 – Health and Sanitation to add smoking regulations. (DEV. SERVICES) **3rd Reading**
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2015-29 adopting the City of Pharr Purchasing Manual. (FINANCE)
- C) Consideration and action, if any, on Resolution appointing/re-appointing City Clerk and Assistant City Clerk. (ADMINISTRATION)
- D) Consideration and action, if any, on Resolution in reference to Texas Gas Service company's ("TGS") Cost of Service Adjustment ("COSA") Tariff. (ADMINISTRATION)
- E) Consideration and action, if any, on Resolution appointing one (1) member to the Golf Course Advisory Board. (PARKS & REC.)
- F) Consideration and action, if any, on Resolution adopting the Hidalgo County Hazard Mitigation Action Plan. (EMERGENCY MANAGEMENT)

6. ADMINISTRATIVE:

- A) Consideration and action, if any, on request from 2017 McAllen Memorial High School Steering Committee for their Kicker Dance event to be held on Saturday, May 13, 2017. (EVENTS CENTER)
- B) Consideration and action, if any, awarding bid for Sugar Road and El Dora Road Traffic Signal Project. (ENGINEERING)
- C) Consideration and action, if any, awarding bid for financial institution providing procurement card program. (FINANCE)
- D) Consideration and action, if any, on Pharr International Bridge submitting proposal for a partnership with Donna Alliance Bridge. (BRIDGE)

- E) Consultation with Board of Commissioners on review of Department Directors. (ADMINISTRATION)

7. PURCHASING:

- A) Consideration and action, if any, on Change Order No.1 in the additional amount of \$17,761.50 to Texas Cordia Construction, LLC. contract for Navarro Street Improvements Project. (ENGINEERING)
- B) Consideration and action, if any, on Change Order No. 1 in the additional amount of \$21,033.50 and thirty (30) day extension to contract with Garco Industries Inc. for Sugar & Egly Road Drainage Detention Pond Offsite Improvements Project. (ENGINEERING)
- C) Consideration and action, if any, on acceptance of the Sugar & Egly Road Drainage Detention Pond Offsite Improvements Project with Garco Industries Inc. and release of final payment and retainage in the amount of \$20,404.05. (ENGINEERING)

8. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on contract extension with CERES Environmental for the services of Catastrophic Event Debris Removal. (PUBLIC WORKS)
- B) Consideration and action, if any, authorizing City Manager to negotiate and execute contract with The Warren Group for additional services for South Pharr Development and Research Center. (ENGINEERING)
- C) Consideration and action, if any, authorizing city manager to negotiate and execute contract with S&B Engineers to evaluate South Dahlia Street. (ENGINEERING)
- D) Consideration and action, if any, amending Comprehensive Economic Stimulus Package for Evergreen Cold Storage LLC. (PEDC II)
- E) Consideration and action, if any, amending Comprehensive Economic Stimulus Package for Spring Valley Fruits. (PEDC II)
- F) Consideration and action, if any, amending Comprehensive Economic Stimulus Package for Grupo Interenlace. (PEDC II)

- 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**

AGENDA REGULAR MEETING
MAY 16, 2016

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 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 13th day of May, 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).

AGENDA REGULAR MEETING
MAY 16, 2016



WITNESS MY HAND AND SEAL, this 13th DAY OF MAY 2016.

Hilda Pedraza
for
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: _____