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, OCTOBER 17, 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) Submission of September 2016 Tax Collection Report
   B) Submission of October 2016 Sales Tax Report
   C) 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 October 3, 2016 – Regular Called Meeting. (ADMINISTRATION)

B) Consideration and action, if any, on request from Pharr- San Juan- Alamo ISD for the use of the Boggus Ford Events Center on Thursday, October 27 and Friday, October 28, 2016 from 9:00 a.m. to 12:00 p.m. for the Mental Health and Drug Awareness Concert. (EVENTS CENTER)

C) Consideration and action, if any, on request from Pharr- San Juan- Alamo ISD for the use of the Jose "Pepe" Salinas Memorial Civic Center on Friday, November 11, 2016 from 8:00 a.m. to 1:30 p.m. for a Job Fair. (PARKS & REC)

D) Consideration and action, if any, on request from Pharr-San Juan-Alamo ISD for the use of the Jose "Pepe" Salinas Memorial Civic Center on Thursday, February 9, 2017 from 3:00 p.m. to 8:30 p.m. for the Special Education Annual Parent Conference. (PARKS & REC)

E) Consideration and action, if any, on request from Hidalgo County Head Start Program for the use of the Jose "Pepe" Salinas Memorial Civic Center on Sunday, April 9 through Thursday, April 13, 2017 for the Week of the Young Child Festivities. (PARKS & REC)

F) Consideration and action, if any, on request from FIRST-RGV for the use of the Boggus Ford Events Center on January 27, 2017 for their FIRST Robotics Competition. (IT)

G) Consideration and action, if any, authorizing staff to apply for Homeland Security grant funding in the amount of $62,600 to upgrade/expansion of Regional Technical Response Unit. (IT)

H) Consideration and action, if any, authorizing staff to advertise for Request for Qualifications for advertising consultant. (PEDC)

I) Consideration and action, if any, authorizing staff to advertise for bids for architectural services for the remodeling of Golf Course Clubhouse. (PEDC)

J) Consideration and action, if any, authorizing City Manager to advertise for bids for the Jones Box Park Improvement Project. (ENGINEERING)

K) Consideration and action, if any, authorizing City Manager to advertise for Request for Proposals for Compensation and Classification Study. (HR)

L) Consideration and action, if any, on submitting a non-renewal notice for LED Sign at the Pharr International Bridge. (BRIDGE)

M) Consideration and action, if any, authorizing City Manager to advertise for Request for Proposals for an LED Digital Sign at the Pharr International Bridge. (BRIDGE)

N) Consideration and action, if any, on Resolution entering into an agreement with the Texas Department of Transportation for closure of U.S. 281 (Cage Blvd.) from Polk St. to Sam Houston Blvd. for the Veteran's Day Parade on Saturday, November 12, 2016. (PUBLIC WORKS)

O) Consideration and action, if any, on professional service agreement with Aldana Engineering for FM 3072 (Dicker Road) Traffic Study. (ENGINEERING)

P) Consideration and action, if any, on Advance Funding Agreement with the Texas Department of Transportation for voluntary utility relocation for the Owassa Road project from Jackson Road to Interstate 69C. (ENGINEERING)

Q) Consideration and action, if any, on Development Services Cases:

PUBLIC HEARINGS:

1. Chipotle Texas, LLC 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 General Business District (C). The property is legally described as being 0.05 acres, more or less, out of El Centro Mall No. 4 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 500 North Jackson Road, Suite N-1. **CUP#160942**

2. Alma I. Rodriguez Solis, d/b/a La Fonda, 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 ©. The property is legally described as being a 0.07-acre tract of land, more or less, out of Lot 1, Jackson Ridge Court Subdivision Phase II, Pharr, Hidalgo County, Texas. The property's physical address is 1201 South Jackson Road, Suite 7. **CUP#150954**

PLATS:

3. Quintanilla Headley & Associates Inc., representing Esponjas Development, LTD., Cruz Cantu III, President, is requesting final plat approval of the proposed Medical Ridge Subdivision. The property is legally described as being a 21.12-acre tract of land out of Lot 8, Block 8, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1400 and 1600 Block of South Jackson Road. **SUB#150206**

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Resolution approving a Construction and Maintenance Agreement with the Texas Department of Transportation for drainage improvements at the Border Safety Inspection Facility. (ENGINEERING)

B) Consideration and action, if any, on Resolution authorizing Police Department to submit an application to the FY 2016 Homeland Security Grant Program through the Lower Rio Grande Valley Development Council for the Pharr PD Regional K-9 Training Unit Project.

C) Consideration and action, if any, on Resolution to initiate the Pharr Residential Development Incentive Program. (ADMINISTRATION)

D) Consideration and action, if any, on Ordinance creating the Pharr Residential Development Incentive Program. (ADMINISTRATION) ***1st Reading***

E) Consideration and action, if any, on Ordinance amending Sections 126-59 through 126-80 of the Code of Ordinances of the City of Pharr, creating the position of Traffic Safety Coordinator. (ADMINISTRATION) ***Adoption on 1st Reading***

6. ADMINISTRATIVE:

A) Consideration and action, if any, awarding bid for the Used Tires and Rubber Scrap Removal and Disposal/Recycling Services. (P. WORKS)

B) Consideration and action, if any, awarding bid for Waste Water Treatment Plant Secondary Clarifier No. 2 Replacement. (ENGINEERING)

C) Consideration and action, if any, awarding proposal for Self-Funded Employee Health Insurance Benefit Plans. (HR)

D) Consideration and action, if any, on Change Order No. 1 in the amount of $1,062.49 and final reconciliation of quantities for the Pedestrian Improvement Project. (ENGINEERING)

E) Consideration and action, if any, on sale of real property located at 1206 W. Sam Houston, Pharr, Texas. (PEDC)

F) Consideration and action, if any, on offer from the Texas Department of Transportation (TxDOT) to purchase building located at 623 North Cage Blvd. (ADMINISTRATION)

G) Consideration and action, if any, on offer from the Texas Department of Transportation (TxDOT) to purchase property in rear of 623 North Cage Blvd. – open acreage. (ADMINISTRATION)

7. PURCHASING:

A) Consideration and action, if any, authorizing staff to submit a sealed bid to purchase water rights. (P. UTILITIES)

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on agreement with Hollis Rutledge and Associates, Inc. for consulting services. (ADMINISTRATION) (TABLED)

B) Consideration and action, if any, on lease agreement with Rigo Eguia d/b/a Phar International Services. (PEDC II)

C) Consideration and action, if any, authorizing City Manager to negotiate and enter into an agreement with Cathy B. Jones, CPA, CIA, CFE, CRMA for internal audit services. (ADMINISTRATION)

D) Consideration and action, if any, on incentive agreement with Evergreen Cold Storage, LLC. (PEDC II) (TABLED)

E) Consideration and action, if any, on incentive agreement for Project Cross. (PEDC)

F) Consideration and action, if any, on incentive agreement for Project Sol. (PEDC)

9. LEGAL:

A) Consultation with City Attorney on reimbursement contract for Pharr Produce District. (LEGAL)

B) Consideration and action, if any, on Settlement with Zurich Ins. Co on K9 Rogue claim. (LEGAL)

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 legal advice on 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.

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.

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 14th day of October, 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 14th DAY OF OCTOBER 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: _____