

**TAKE NOTICE THAT A REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 6:00 P.M. ON
TUESDAY, APRIL 21, 2009**

At any time during the course of this meeting, the Board of Commissioners may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Board of Commissioners under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

The City of Pharr has called this meeting as allowed by law and charter. The Board may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law.

1. Roll call-excuse members.
2. Pledge of Allegiance/Invocation.
3. Public Comments (Ordinance No. O-2008-27).

ADMINISTRATIVE

4. City Manager's Administrative Reports and discussion, if any, with City Commission.
 - a. City Engineer's Report - J. E. Saenz & Associates
Pharr Wastewater Collection and Lift Station Improvement Project
Raw Water Pump Station
Sugar Road 1 (Sioux-Owassa)
Owassa Road (ON HOLD)
West Hall Acres Road (ON HOLD)
 - b. Submission of monthly report – Pharr Municipal Court
 - c. Submission of March 2009 Tax Collection Report
 - d. Submission of April 2009 Sales Tax Report
 - e. Submission of the comprehensive quarterly financial report

PLANNING & ZONING

5. Consideration and action on Planning & Zoning Cases:

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:

PUBLIC HEARING:

- a. Patricia Decanini 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 R/S L & LL, Lot 7 RS-Blk. L, Pharr, Hidalgo County, Texas. The property's physical address is 622 E. Business Highway 83.

Plat Approval:

- b. NAIN Engineering, representing Felix Mendoza and Antonia T. Mendoza, is requesting preliminary and final plat approval of the proposed F. Mendoza Subdivision. The property is legally described as a 1.67-acre tract of land, being all of Lot 17, Sing's Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2900 S. Flag St.

REGULAR AGENDA

ORDINANCES AND RESOLUTIONS

6. Consideration and action, if any, on Ordinance amending Ordinance No. O-2008-14 (Outdoor Sales). (Comm. Elizondo and Comm. Carrillo)
7. Consideration and action, if any, on third and final reading of Ordinance accepting request for voluntary annexation into the corporate limits of Lots 254 and 255, KELLY-PHARR SUBDIVISION, situated in Hidalgo County, Texas.
8. Consideration and action, if any, on the appointment/re-appointment of five (5) members to the Building and Standards Commission.
9. Consideration and action, if any, on Resolution approving the Pharr Economic Development Corporation's Articles of Incorporation and granting the Pharr Economic Development Corporation authority to act on behalf of the Pharr City Commission.
10. Consideration and action, if any, on Resolution appointing Pharr Economic Development Corporation (4B) Board of Directors.
11. Consideration and action, if any, on Resolution suspending the effective date of Texas Gas Service Company new rates.
12. **PUBLIC HEARING:** Solicitation and comments on request from Police Department for Edward Byrne Memorial Justice Assistance Grant application for funding the purchase of police vehicles.
13. Consideration and action, if any, on Resolution authorizing Police Chief to submit an application for the Edward Byrne Memorial Justice Assistance Grant.

14. Consideration and action, if any, on Resolution authorizing Police Chief to submit an application for the Operation Stonegarden Grant.

AGREEMENTS

15. Consideration and action, if any, on Health Insurance renewal for the year 2009-2010.
16. Consideration and action, if any, on proposal from Raul L. Rubio for consulting services.
17. Consideration and action, if any, on proposal from Rick Rubiano for consulting services.
18. Consideration and action, if any, approving proposal from Pemberton Professional Services (PPS), LLC for grant writing services.
19. Consideration and action, if any, on proposal from JBS Associates for water distribution audit.
20. Consideration and action, if any, on proposal from AAA Electrical Signs for new lease and maintenance of electronic advertising at the Pharr International Convention Center.

MISCELLANEOUS

21. Consideration and action, if any, on request from the Pharr Literacy Project, Inc. to reimburse the City of Pharr for the use of electricity.
22. Consideration and action, if any, on selection of engineer for Hurricane Relief Funding thru the Office of Rural Community Affairs (ORCA).

PURCHASING

23. Consideration and action, if any, on final payment to Parsons Commercial Roofing in the amount of \$54,460 for the Pharr International Convention Center re-roofing project.

LEGAL

24. Consideration and action, if any, on City of San Juan vs. City of Pharr Cause No. C-2340-06-E.

25. **EXECUTIVE 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 executive session to discuss the items listed on the public portion of the meeting agenda, including items 3 - 24 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 City of San Juan vs. City of Pharr Cause No. C-2340-06-E 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 551.075, the City may convene in a closed, non-public meeting to discuss any matters with any and all **employees to receive information or question the employees.** 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 551.076, 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 551.086, 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.

- 26. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
- 27. Adjournment.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

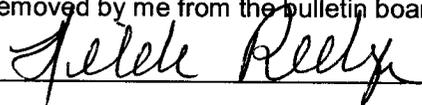
City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956/702-5335 ext 112/113 or FAX 956/702-5313 or E-mail hpedraza@cityofpharr.com or shinojosa@cityofpharr.com 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.cityofpharr.com. This Notice was posted on the 17th day of April, 2009, 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 17th DAY OF APRIL, 2009.


HILDA PEDRAZA, CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was removed by me from the bulletin board of City Hall on the 24th day of April, 2009.


Title: City Clerk