

**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, MAY 5, 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).

PROCLAMATIONS

4. Presentation of Proclamation proclaiming the week of May 3 through May 9, 2009 as Municipal Clerks Week.
5. Presentation of Proclamation proclaiming the week of May 10 through May 16, 2009 as Police Week and May 15, 2009 as Peace Officers Memorial Day.

ADMINISTRATIVE

6. Consideration and action, if any on City Commission Meeting minutes:
April 7, 2009 – Regular Called Meeting, and April 21, 2009 – Regular Called Meeting.
7. 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)

PLANNING & ZONING

8. 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. R.G.V. & Associates/Laura L. Garza, d/b/a George's Dance 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 more fully described as Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas, Pharr, Hidalgo County, Texas. The property's physical address is 6801 S. Jackson Rd.
- b. Israel Rivas, d/b/a The Fraternal Order of Eagles of Pharr, Texas, 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 more fully described as follows: Lot 3, Block 58, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 305 S. Cage Blvd.
- c. Gilbert Pedraza, d/b/a Sepi's, 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 more fully described as follows Lot 22, Block 30, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 212 W. State Street.
- d. Lucy G. Gonzalez, d/b/a Lucy's Place, 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 Lot 207, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6705 S. Jackson Rd.
- e. Sammy Shamoon is requesting rezoning from a Single-Family Residential District (R-1) to a High Density Multi-Family Residential District (R-4). The property is legally described as Pharr Original Townsite Subdivision, Lots 14, 15, 16, Block 73, Pharr, Hidalgo County, Texas. The property's physical address is 201 E Jones Avenue.

REGULAR AGENDA

ORDINANCES AND RESOLUTIONS

- 9. Consideration and action, if any, on Ordinance amending Ordinance No. O-92-51 (Taxicab Ordinance).

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10. Consideration and action, if any, on Ordinance for the Identity Theft Program.
11. Consideration and action, if any, on Resolution appointing/re-appointing one (1) member at large to the Community Development Council.

AGREEMENTS

12. Consideration and action, if any, on proposal from Raul L. Rubio for consulting services.
13. Consideration and action, if any, on contract renewal with Pharr-Reynosa International Bridge Liaison Roberto Leal-Tovias.
14. Consideration and action, if any, on economic incentive in the form of a property tax abatement for FJRS Investment, LTD, d/b/a Frank Smith Toyota.
15. Consideration and action, if any, on economic incentive in the form of a property tax abatement for Shavi Mahtani, d/b/a Jackson Retail, LLC.

MISCELLANEOUS

16. Consideration and action, if any, on outstanding hotel occupancy tax of King 9 Motel, Inc.

PURCHASING

17. Consideration and action, if any, on proposal from AAA Electrical Signs for the purchase and maintenance of electronic advertising at the Pharr International Convention Center.
18. Consideration and action, if any, on invoice No. 9 to Summit Contracting, Ltd. in the amount of \$31,493.74 for Northbound Lanes Improvements Project.
19. Consideration and action, if any, on final invoice No. 10 (retainage fee) in the amount of \$304,076.44 to Summit Contracting, Ltd. for Northbound Lanes Improvements Project.
20. Consideration and action, if any, on request from Pharr Police Department for vehicle purchase.

LEGAL

21. Status report on City of San Juan vs. City of Pharr Cause No. C-2340-06-E.

22. Consideration and action, if any, on Hollis Rutledge and Associates, Inc. vs. City of Pharr Cause No. C-290-08-G.

23. **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 - 22 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; Hollis Rutledge and Associates, Inc. vs. City of Pharr Cause No. C-290-08-G 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.

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

25. Adjournment.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

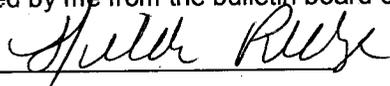
City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956/702-5335 ext 112/113 or FAX 956/702-5313 or E-mail hpedraza@cityofpharr.com or 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 1st day of May 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 1st DAY OF MAY 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 7th day of May, 2009.

 Title: City Clerk