

**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, SEPTEMBER 15, 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 September 15, 2009 as Maria De La Luz Corona Day.

ADMINISTRATIVE

5. Consideration and action, if any on City Commission Meeting minutes: September 1, 2009 – Regular Called Meeting.
6. 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
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 August 2009 Tax Collection Report
 - d. Submission of September 2009 Sales Tax Report

PLANNING & ZONING

7. 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:

PLAT APPROVAL:

- b. R. Gutierrez Engineering Corporation, representing Precinct No. 2, is requesting preliminary and final plat approval of the proposed Precinct No. 2, Office Complex Subdivision. The property is legally described as being a 10.75 acre tract of land out of Lot 229, Kelly-Pharr Subdivision, Pharr, Hidalgo County Texas. The property is located at the 300 Blk. Of W. Hall Acres Road.
- c. Melden & Hunt Inc., representing Fernando Lopez, is requesting preliminary and final plat approval of the proposed Parkview Terrace Subdivision. The property is legally described as being a resubdivision of 7.863 acre tract of land out of Lot 3, Block "C", Kelly-Pharr Subdivision, Pharr, Hidalgo County Texas. The property is located at the 200 Blk. of W. Audrey Avenue.
- d. Melden and Hunt Inc., representing Gary Lenz, is requesting preliminary and final plat approval of the proposed Casa Ingles Phase 2 Subdivision. The property is legally described as a resubdivision of 0.602 of one acre out of Casa Ingles Subdivision, Pharr, Hidalgo County Texas. The property is located at the 7000 Blk. of Habitat Circle West.
- e. SAMES Engineering & Surveying, Inc., representing Rolando Limón, is requesting preliminary and final plat approval of the proposed Alfonsina Plaza Subdivision. The property is legally described as a 1.59 acre tract of land out of Lot 169, Kelly-Pharr Subdivision, Pharr, Hidalgo County Texas. The property is located at the 1200 Blk. of W. Expressway 83.

REGULAR AGENDA

ORDINANCES AND RESOLUTIONS

- 8. Consideration and action, if any, on Ordinance amending Ordinance No. O-2009-26 (Wrecker Services).
- 9. Consideration and action, if any, on Ordinance adopting and approving the budget for year beginning October 1, 2009 and ending September 30, 2010.
- 10. Consideration and action, if any, on Resolution appointing six (6) entities to be included on the wrecker rotation lists. **(TABLED)**
- 11. Consideration and action, if any, on Resolution nominating Rudy Elizondo to the Hidalgo County Appraisal District for 2010-2011.

AGENDA REGULAR MEETING
SEPTEMBER 15, 2009

12. Consideration and action, if any, on Resolution appointing/re-appointing one member and three alternates to the Planning and Zoning Commission.
13. Consideration and action if any, on Resolution appointing/re-appointing one member to the Civil Service Commission.
14. Consideration and action, if any, on Resolution authorizing the Director of Public Works to act on behalf of the City of Pharr to file a grant application with the Lower Rio Grande Valley Development Council (LRGVDC), for a regional solid waste grants program grant.
15. Consideration and action, if any, on Resolution authorizing city employees to sign for Wells Fargo Bank accounts.

AGREEMENTS

16. Consideration and action, if any, on renewal of contract between the City of Pharr and the Palm Valley Animal Center.
17. Consideration and action, if any, on request for proposals and/or extension of utility substation collection agreements.
18. Consideration and action, if any, on Geographical Information System (GIS) Interlocal Agreement with Hidalgo County.
19. Consideration and action, if any, on professional service agreement between Hollis Rutledge & Associates, Inc. and the City of Pharr.
20. Consideration and action, if any, on request from the Pharr Literacy Project & Cultural Arts Center for renewal of the building lease agreement for the calendar year 2010 which extends occupancy of the facility located at 201, 203, 205, 207a and 207b W. Park Avenue (Old City Hall).
21. 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.
22. Consideration and action, if any, with respect to approval of contract extension agreement between City of Pharr and the Pharr Professional Fire Fighters' Association IFFA Local 4213 beginning on October 1, 2009 through September 30, 2010.

MISCELLANEOUS

23. Consideration and action, if any, on proposal from C & C Auto and Bus Sales for one used trolley car.

AGENDA REGULAR MEETING
SEPTEMBER 15, 2009

24. Consideration and action, if any, authorizing the submission to the GFOA for the Distinguished Budget Award.
25. Consideration and action, if any, authorizing City Manager to advertise for request for qualifications for swimming pool architect/engineering services.
26. Consideration and action, if any, authorizing City Manager to advertise for bids for the Water Treatment Plant Expansion Project.
27. Consideration and action, if any, requesting authorization to renovate the Tierra Del Sol Golf Club Room and Installation Services.
28. Consideration and action, if any, authorizing Police Chief to accept the Edward Byrne Memorial Justice Assistance Grant.
29. Consideration and action, if any, on request from the Pharr Literacy Project & Cultural Arts Center to name the Pharr City Council to serve as Intermediary for the Rural Community Development Initiative (RCDI) grant proposal from USDA, Rural Housing Service.
30. Consideration and action, if any, on request from the Pharr Literacy Project & Cultural Arts Center to close Park Avenue from Aster to Bluebonnet on October 30, 2009 from 4:30 p.m. to midnight for the family-friendly Halloween block party and a PG-13 rated Haunted House.
31. Consideration and action, if any, on request from Trinity Worship Center for street closures from 7:00 a.m. to 11:00 a.m. for their 1st Annual Harvest Fest 5K Run/Walk scheduled for Saturday, November 7, 2009.
32. Consideration and action, if any, extending Ordinance No. O-2008-39 for a period of one year.

PURCHASING

33. Consideration and action, if any, awarding bid for the Waste Water Treatment Plant expansion project.
34. Consideration and action, if any, awarding bid for the Workers Compensation and Property & Liability Insurance.
35. Consideration and action, if any, awarding bid for the Darlene Drive Drainage Improvements.
36. Consideration and action, if any, on Change Order No. 9 in the amount of \$78,799.52 for the Wastewater Collection and Lift Station Improvements, Phase 1B.

AGENDA REGULAR MEETING
SEPTEMBER 15, 2009

37. Consideration and action, if any, on Change Order No. 4 in the amount of \$159,283.93 for the Wastewater Collection and Lift Station Improvements, Phase 1C.
38. **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 - 37 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 551.075, 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.

AGENDA REGULAR MEETING
SEPTEMBER 15, 2009

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.

- 39. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
- 40. 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 11th day of September 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 11th DAY OF SEPTEMBER 2009.



Hilda Pedraza
HILDA PEDRAZA, TRMC
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 _____ day of _____, 2009.

Title: _____