

**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, JANUARY 19, 2010**

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.

ADMINISTRATIVE

3. Consideration and action, if any on City Commission Meeting minutes: January 5, 2010 – Regular Called Meeting.
4. City Manager's Administrative Reports and discussion, if any, with City Commission. The City Manager may also assign a designated spokesperson for any particular topic.
 - 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
 - b. Submission of monthly report –Pharr Municipal Court
 - c. Submission of December 2009 Tax Collection Report
 - d. Submission of January 2010 Sales Tax Report
5. Update and Status Report on Fiscal Audit FY 08/09.

PLANNING & ZONING

6. 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. Dolia N. Lucero is applying for 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 Mexican Fiesta Re-Sub., Lot 3, Pharr, Hidalgo County, Texas. The property's physical address is 1302 W. Nolana.
- b. Charles H. Mercer, Jr., d/b/a Carino's Italian Grill, is applying for a renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Lots 4A and 5A, Paradise Commercial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 601 S. Jackson Rd.
- c. Jose D. Vazquez has filed with the Planning and Zoning Commission a request for a change of zone from a Single Family Residential District (R-1) to a Residential Mobile Home District (R-HCMH). The property is legally described as Lot 174, Prosperidad Manufactured Homes Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5612 Nueva Esperanza Dr.

REGULAR AGENDA

ORDINANCES AND RESOLUTIONS

7. Consideration and action, if any, on Ordinance amending Ordinance No. O-83-28 entitled "The Pharr Burglary, Robbery and Fire Alarm Ordinance". **(TABLED)**
8. Consideration and action, if any, on Ordinance authorizing issuance of City of Pharr, Texas Note, Series 2010 in the principal amount of Nine Hundred Thousand Dollars (\$900,000); payable from available revenues of the City; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; authorizing the use of a private placement memorandum to be used in connection with the sale of the note; and making other provisions regarding such note and matters incident thereto.
9. Consideration and action, if any, on Resolution related to specific service contracts with the City of Pharr.
10. Consideration and action, if any, on Resolution adopting public funds investment policy for the City of Pharr.

11. Consideration and action, if any, on Resolution authorizing an inter fund transfer and loan from the Utility Fund to the General Fund.

AGREEMENTS

12. Consideration and action, if any, on Performance Contract between David Lee Garza y los Musicales with Ram Herrerra and the City of Pharr for the City of Pharr's HUB Festival on Saturday, March 27, 2010.
13. Consideration and action, if any, on Performance Contract between Pat Green and the City of Pharr for the City of Pharr's HUB Festival on Saturday, March 27, 2010.
14. Consideration and action, if any, on Interlocal Agreement between the Lower Rio Grande Valley Development Council (RPC) and the City of Pharr for E9-1-1 Public Safety Answering Point Services.
15. Consideration and action, if any, on Interlocal Agreement between the City of Edinburg and their Public Library and the City of Pharr to host Library Union Automation System.
16. Consideration and action, if any, on proposal from Ric Rubiano for EDC work.

MISCELLANEOUS

17. Consideration and action, if any, on request from the Rio Grande Valley Diabetes Association for City department assistance to establish a safe walk route at their Health Fair Expo & Walk scheduled for Sunday, March 14, 2010 at the Pharr Convention Center.
18. Consideration and action, if any, authorizing City Manager to advertise for bids for Construction of 18" Waterline Project on Sugar Road.
19. Consideration and action, if any, authorizing City Manager to advertise for bids for LED Traffic Signal Lamp Units.
20. Consideration and action, if any, authorizing City Manager to advertise for bids for Construction of Water Treatment Plant Expansion Project.
21. Consideration and action, if any, authorizing City Manager to advertise for bids for the construction of West Hall Acres Road Phase 1 & Phase 2.
22. Consideration and action, if any, on request from the Pharr Literacy Project and Cultural Arts Center to use the rooms at 207A W. Park Avenue as office and classroom space.

PURCHASING

23. Consideration and action, if any, awarding bid for the Pharr Collection and Wastewater Improvement Project Phase 1E.
24. Consideration and action, if any, on proposal from Parsons Commercial Roofing, Inc. for Memorial Junior High Gym upper and lower section renovations.
25. Consideration and action, if any on final invoice to Asago Construction in the amount of \$50,726.00 for the Darlene Drive Drainage Improvements and reconciliation of quantities and release of retainage.
26. Consideration and action, if any, authorizing City Manager to purchase a 4 acre tract of land from PSJA I.S.D. located at the N/E corner out of the East 615 feet of the West 705 feet of Lot 123, Kelly-Pharr Subdivision, Hidalgo County Texas.
27. **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 - 26 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.

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.

28. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
29. Public Comments (Ordinance No. O-2008-27).
30. 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 15th day of January 2010, 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 15th DAY OF JANUARY 2010.



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 15th day of January, 2010.

[Signature]

Title: Adm Secretary