

**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 5, 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: December 3, 2009 and December 15, 2009 – Regular Called Meetings.
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

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. Richard Garza d/b/a Richard's, is requesting a 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 1 Acre on the West side out of a 1.75 acre tract of land out of a certain 4.04 acres out of Lot 293, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 112 W. Balli Rd. **(Pending PD & CE reports)**
- b. Crisanto Ramirez d/b/a Tejano Saloon is requesting a 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 Subdivision #1, Pharr, Hidalgo County, Texas. The property's physical address is 1300 W. Nolana Loop. **(Pending PD report)**

REGULAR AGENDA

ORDINANCES AND RESOLUTIONS

6. Consideration and action, if any, on Ordinance amending Ordinance No. O-83-28 entitled "The Pharr Burglary, Robbery and Fire Alarm Ordinance". (TABLED)
7. Consideration and action, if any, on Resolution authorizing Police Chief to submit a grant application to the Office of the Governor, Criminal Justice Division for the "Victims of Violent Crime Advocacy Project".
8. Consideration and action, if any, on Resolution supporting U.S. Senate Bill 2767, Et. Al.
9. Consideration and action, if any, on Resolution approving a notice of redemption regarding the 2011 maturity of the City of Pharr, Texas Tax Notes, Series 2006; and making provisions regarding such notice and matters incident thereto.
10. Consideration and action, if any, on Resolution changing the City's website domain name.
11. Consideration and action, if any, on Resolution authorizing City Manager to accept grant award for the Lone Star Libraries Grant.

AGREEMENTS

12. Consideration and action, if any, authorizing City Manager to initiate Interlocal agreement negotiations with the PSJA Independent School District to construct a proposed city/school park between Pharr Elementary and Liberty Middle School.

13. Consideration and action, if any, authorizing Public Works Director to accept and execute the contract with the Lower Rio Grande Valley Development Council FY-2010 Solid Waste Grant.

MISCELLANEOUS

14. Consideration and action, if any, on request from Tom Haughey Republican Elections Administrator for use of Jose "Pepe" Salinas Memorial Civic Center, 1011 W. Kelly and Las Milpas Community Center, 7107 S. Cage, for their Primary Election and Precinct Convention on Tuesday, March 2, 2010 and if needed for the Run-off Election on Tuesday, April 13, 2010.
15. Consideration and action, if any, on request from Hidalgo County Elections Department for use of Jose "Pepe" Salinas Memorial Civic Center, 1011 W. Kelly and Las Milpas Community Center, 7107 S. Cage, on Monday, February 15, 2010 thru Friday, February 26, 2010 for Early Voting and on Tuesday, March 2, 2010 for Election Day polling locations for the Primary Elections.
16. Consideration and action, if any, authorizing City Manager to advertise for bids for the construction of the new Pharr Aquatic Center Project.
17. Consideration and action, if any, on request from the Pharr Literacy Project to apply for the USDA Rural Business Enterprise grant (RGEG) for 2010.

PURCHASING

18. Consideration and action, if any, on Change Order #1 in the amount of \$5,738.99 for Darlene Drive Drainage Improvements.
19. Consideration and action, if any, on request for authorization to purchase 12' Downtown Decorative Luminaires.
20. **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 - 19 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.

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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.

21. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
22. Public Comments (Ordinance No. O-2008-27).
23. 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.

AGENDA REGULAR MEETING
JANUARY 5, 2010

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 30th day of December 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 30th DAY OF DECEMBER 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 8th day of January, 2010.

Sonia A. Padron

Title: Asst. City Clerk