

**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 6, 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.

PROCLAMATION

3. Proclamation proclaiming Dr. Martha May Trevis Day.
4. Proclamation proclaiming April, 2010 as Clean Sweep Month.
5. Proclamation proclaiming the week of April 4, 2010 to April 10, 2010 as National Community Development Week.

ADMINISTRATIVE

6. Consideration and action, if any on City Commission Meeting minutes:
March 16, 2010 – Regular Called Meeting and March 26, 2010 – Special Called Meeting.
7. City Manager's Administrative Reports and discussion, if any, with City Commission. The City Manager may also assign a designated spokesperson for any particular listed topic.
 - a. City Engineer's Report - J. E. Saenz & Associates
Pharr Wastewater Collection and Lift Station Improvement Project
Sioux Road 1 (Sioux-Owassa)
Owassa Road (ON HOLD)
West Hall Acres Road

- b. Project Engineer's Report – R. Gutierrez Engineering
- c. City Events of Interest
- d. Legislative/Project Update
- e. City of Pharr Website Analytic Report
- f. Pharr Clean Sweep Month – Grace Segovia

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. Lionel M. Cortez 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 Lots 11-12, Block 5, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 400 N. Cage.

REGULAR AGENDA

ORDINANCES AND RESOLUTIONS

- 9. Consideration and action, if any, on Ordinance amending Ordinance No. O-83-28 Pharr Fire Alarm Ordinance. **(TABLED)**
- 10. Consideration and action, if any, on Ordinance amending Ordinance No. O-83-28 Police Burglary and Robbery Ordinance. **(TABLED)**
- 11. Consideration and action, if any, on Ordinance appointing Alternate Judge for election precinct 116 and 61 (Pharr Housing Authority) and appointing Early Voting Ballot Board Judge for the General Municipal Election to be held on Saturday, May 8, 2010.
- 12. Consideration and action, if any, on Ordinance amending Section 18-1 of Chapter 18 of the City of Pharr Code of Ordinances (domestic fowl Ordinance).

13. Consideration and action, if any, on Resolution authorizing the Pharr Economic Development Corporation II Board of Directors to submit a grant application to the Economic Development Administration of the U.S. Department of Commerce for the development of PEDC II Subdivision (an industrial subdivision).

AGREEMENTS

14. Consideration and action, if any, on contract between City of Pharr and Hidalgo County Elections Administrator for election services.
15. Consideration and action, if any, on Interlocal cooperation agreement with Pharr-San Juan-Alamo Independent School District for West Hall Acres Road improvements.
16. Consideration and action, if any, on ratification of economic incentive and tax abatement for Pappas, Bros.
17. Consideration and action, if any, contracting SAM Engineering & Surveying, Inc. for engineering services on East Sam Houston Blvd. improvements project for Category 7 Funding from TxDOT.
18. Consideration and action, if any, contracting R. Gutierrez Engineering Corporation to conduct traffic signal inventory.
19. Consideration and action, if any, contracting ERO and Associates for preliminary architectural and construction feasibility services for Pharr International Convention Center Improvements.
20. Consideration and action, if any, on Interlocal agreement between the City of Pharr and the City of Edinburg for a trunked radio system.

MISCELLANEOUS

21. Consideration and action, if any, authorizing City Manager to advertise for bids for chlorine contract.
22. Consideration and action, if any, authorizing City Manager to advertise for renewal of Bank Depository Contract.
23. Consideration and action, if any, authorizing City Manager to advertise for lease of space at 9900 S. Cage Blvd. (building currently occupied by UETA).
24. Consideration and action, if any, on request from Hidalgo County Elections Department for use of Jose "Pepe" Salinas Memorial Civic Center, 1011 W. Kelly, as an Election Day polling location for the upcoming May 8, 2010 South Texas College District #3 Election.

AGENDA REGULAR MEETING
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25. Consideration and action, on request from Pharr-San Juan-Alamo Independent School District for the use of the Pharr International Convention Center, 3000 N. Cage Blvd., from 3:00 pm to 7:00 pm for the Annual PSJA ISD Teacher Job Fair on Thursday, April 15, 2010.
26. Consideration and action, if any, on request from the Pharr Literacy Project to close 201, 203, 205, and 207 W. Park Avenue from 7:00 am to 6:00 pm for an April Street Sale and Celebration on Saturday, April 10, 2010.

PURCHASING

27. Consideration and action, if any, on request from U.S. 281 Coalition for contribution in the amount of \$20,000 for legislative and communications strategy.
28. Consideration and action, if any, on counter offer from property owners of 901 W. Hall Acres Rd., Parcel #14 of the West Hall Acres Road Widening Project.
29. Consideration and action, if any, on request to initiate Condemnation Proceedings/Eminent Domain for Parcel #19 of the West Hall Acres Road Street Widening Project.
30. Consideration and action, if any, on request to initiate Condemnation Proceedings/Eminent Domain against Christina Louise Stout for the East Rancho Blanco Rd. Street Widening Project.
31. Consideration and action, if any, on Change Order No. 8 in the amount of \$131,715.75 for the Wastewater Collection and Lift Station Improvements Phase 1C.
32. Consideration and action, if any, on Change Order No. 3 in the amount of \$8,871.22 for the Wastewater Collection and Lift Station Improvements Phase 1D.
33. Consideration and action, if any, on final payment to Villarreal Paving & Demolition in the amount of \$39,700 for the Pharr Aquatic Center Demolition Project.
34. Consideration and action, if any, authorizing the purchase of three (3) equipped police units in the amount of \$155,596 thru the Office of the Governor Criminal Justice Division Edward Byrne Justice Assistance Grant (JAG) "Border Security Initiative Solicitation Program Grant Enhancement Project."

LEGAL

35. Consideration and action, if any, on Cause No. CL-08-2999-A; *Stephanie Grower v City of Pharr*.

36. **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 - 35 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 Cause No. CL-08-2999-A; Stephanie Grower v City of Pharr 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 **request to initiate Condemnation Proceedings/Eminent Domain against Christina Louise Stout for the East Rancho Blanco Rd. Street Widening Project, 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.

37. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
38. Public Comments (Ordinance No. O-2010-05).
39. 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@pharr-tx.gov or shinojosa@pharr-tx.gov 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.pharr-tx.gov. This Notice was posted on the 1st day of April 2010, at 4:30 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 APRIL 2010.

//SS//
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 _____, 2010.

Title: _____