

**TAKE NOTICE THAT A REGULAR MEETING  
OF THE BOARD OF COMMISSIONERS  
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,  
118 S. CAGE BLVD., 2<sup>ND</sup> FLOOR, PHARR, TEXAS  
COMMENCING AT 6:00 P.M. ON  
TUESDAY, MAY 18, 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.

**PROCLAMATIONS**

3. Presentation of proclamation proclaiming Lazaro Garza Day.

**ADMINISTRATIVE**

4. Consideration and action, if any, on City Commission Meeting minutes:  
April 20, 2010 – Regular Called Meeting.
5. 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  
Sugar Road 1 ( Sioux-Owassa)  
Owassa Road (ON HOLD)  
West Hall Acres Road
  - b. Submission of monthly report –Pharr Municipal Court
  - c. Submission of April 2010 Tax Collection Report
  - d. Submission of May 2010 Sales Tax Report
  - e. City events of interest
  - f. Legislative/Project Update
6. Presentation by the Veterans Alliance of the Rio Grande Valley.

**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:**

**PUBLIC HEARING:**

- a. Marco A. Cortez has filed with the Planning and Zoning Commission a request for a Conditional Use Permit for the Life-of-the-Use to allow a church in a General Business District (C). The property is legally described as Lots 17-23, Block 1, Universal Estates #1 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6901 S. Cage Blvd., Suite T.
- b. Michael C. Cobos has filed with the Planning and Zoning Commission a request for a change of zone from a Single-Family District (R-1) to a General Business District (C). The property is legally described as Lot 22, Beamsley Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1312 Kennedy St.
- c. Aurelio Cadena, d/b/a Tejas Restaurant, 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 Lot 11, Maco Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1308 Maco Drive.

**PLAT APPROVAL:**

- d. R. Gutierrez Engineering Corp., representing Pharr-San Juan-Alamo I.S.D., is requesting preliminary and final plat approval of the proposed Allen and William Arnold Elementary School Subdivision. The property is legally described as a 22.23 acre tract of land out of Lot 123, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property' physical address is 615 w. Eldora Rd.

**REGULAR AGENDA**

8. Consideration and action, if any, on request by George Thatcher III d/b/a JAGZ for a Beer/Mixed Beverage Late Hours License.

**ORDINANCES AND RESOLUTIONS**

9. Consideration and action, if any, on Ordinance adopting the City of Pharr Purchasing Manual.
10. Consideration and action, if any, on Ordinance adopting the City of Pharr Accounting Policies and Procedures Manual.

11. Consideration and action, if any, on Ordinance regulating businesses, storage, disposal, registration and haulers for tires.
12. Consideration and action, if any, on Ordinance creating and ratifying a Parks and Recreation Committee.
13. Consideration and action, if any, on Ordinance appointing/re-appointing Municipal Court Judges.
14. Consideration and action, if any, on Resolution appointing a Mayor Pro-Tem and Alternate Mayor Pro-Tem.
15. Consideration and action, if any, on Resolution appointing/re-appointing City Clerk and Assistant City Clerk.
16. Consideration and action, if any, on Resolution appointing a Bridge Board Member.
17. Consideration and action, if any, on Resolution appointing one (1) regular member and one (1) alternate member to the Planning and Zoning Commission.
18. Consideration and action, if any, on Resolution appointing four (4) members to the Pharr Historical Commission.
19. Consideration and action, if any, on Resolution appointing members to the Main Street Board.
20. Consideration and action, if any, on Resolution re-scheduling/cancelling the City Commission Meeting of Tuesday, June 1, 2010.
21. Consideration and action, if any, on Resolution authorizing the resale of properties which were foreclosed upon for failure to pay ad valorem taxes.
22. Consideration and action, if any, on Resolution authorizing City Attorney to commence legal proceedings related to delinquent accounts and other obligations.

### **AGREEMENTS**

23. Consideration and action, if any, on the 2010 Hidalgo County Interlocal Rural Emergency Agreement between Hidalgo County and the City of Pharr.
24. Consideration and action, if any, on TRI-Stem Consulting Agreement with CAPP Members and the City of Pharr.

25. Consideration and action, if any, authorizing City Manager to contract with Sherfey Engineering, SA, L.L.C. for the Master Water Reuse Plan.

### MISCELLANEOUS

26. Consideration and action, if any, on request from the Pharr Literacy Project & Cultural Arts Center to close two blocks of West Park Avenue between Canna and Aster for the Texas 2010 Cultural Capital of America Festival on Saturday, May 22, 2010 between 2:00 pm and 10:00 pm.
27. Consideration and action, if any, on request from the Texas Bluebonnet Chapter of the Scleroderma Foundation to partially close South Cage Boulevard from the 3200 block south to 8610 South Cage Boulevard for a 5K run/walk on Saturday, July 3, 2010 from 10:00 a.m. to 12:00 p.m.

### PURCHASING

28. Consideration and action, if any, awarding proposal for Bank Depository Services Contract.
29. Consideration and action, if any, awarding bid for the supply contract for purchase of chlorine.
30. Consideration and action, if any, on request from Pharr Fire Department for local match in the amount of \$5,600 required for the FEMA Firefighters Grant.

### LEGAL

31. Consideration and action, if any, on Cause No. CL-09-0573-B City of Pharr vs. Kuroy Et Al.
32. **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 - 31 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-09-0573-B City of Pharr vs. Kuroy Et Al; 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.

33. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
34. Public Comments (Ordinance No. O-2010-05).
35. 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](mailto:hpedraza@pharr-tx.gov) or [shinojosa@pharr-tx.gov](mailto:shinojosa@pharr-tx.gov) for further information. Braille is not available.

AGENDA REGULAR MEETING  
MAY 18, 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.pharr-tx.gov](http://www.pharr-tx.gov). This Notice was posted on the 14<sup>th</sup> day of May 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 14<sup>th</sup> DAY OF MAY 2010.**

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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: \_\_\_\_\_